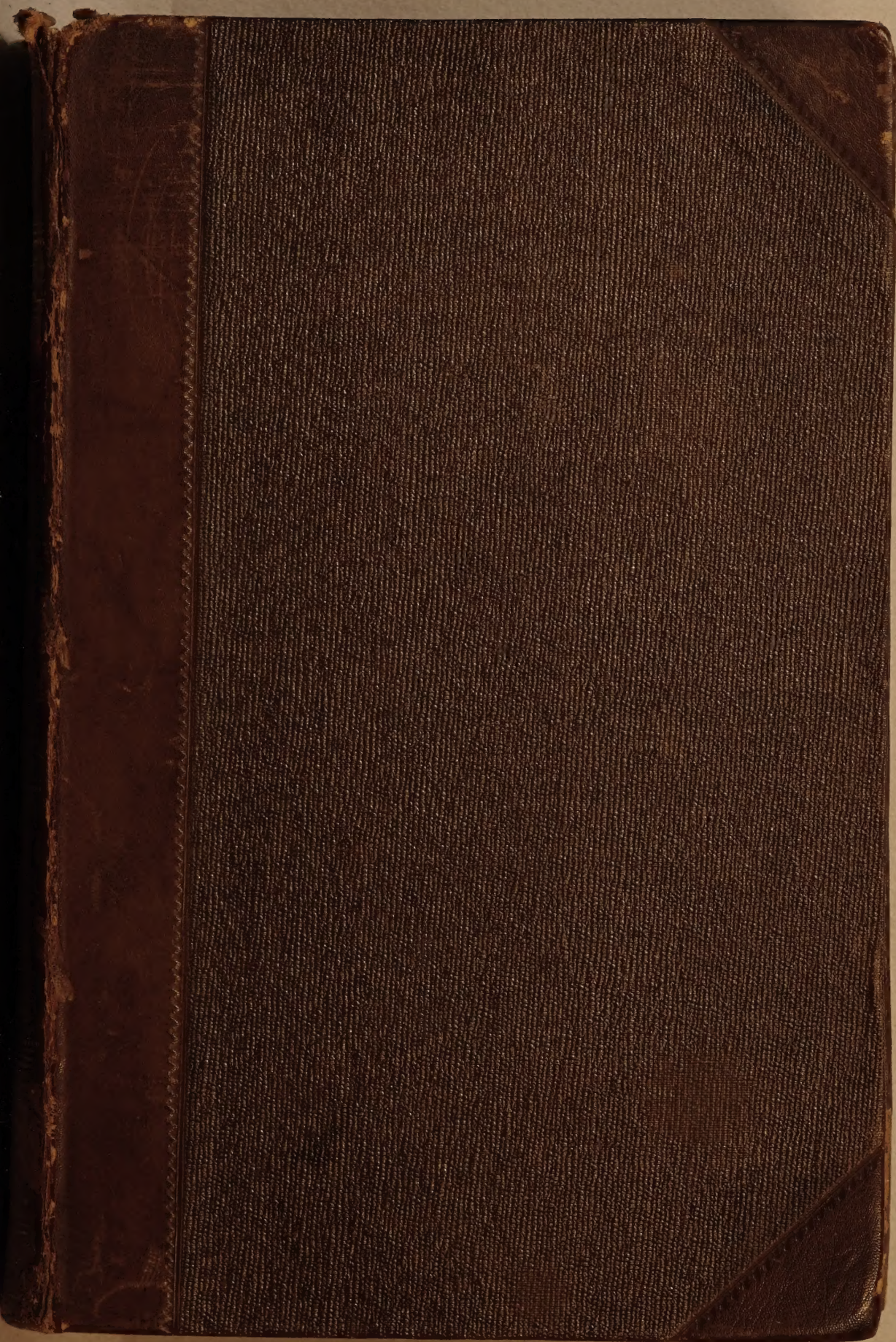






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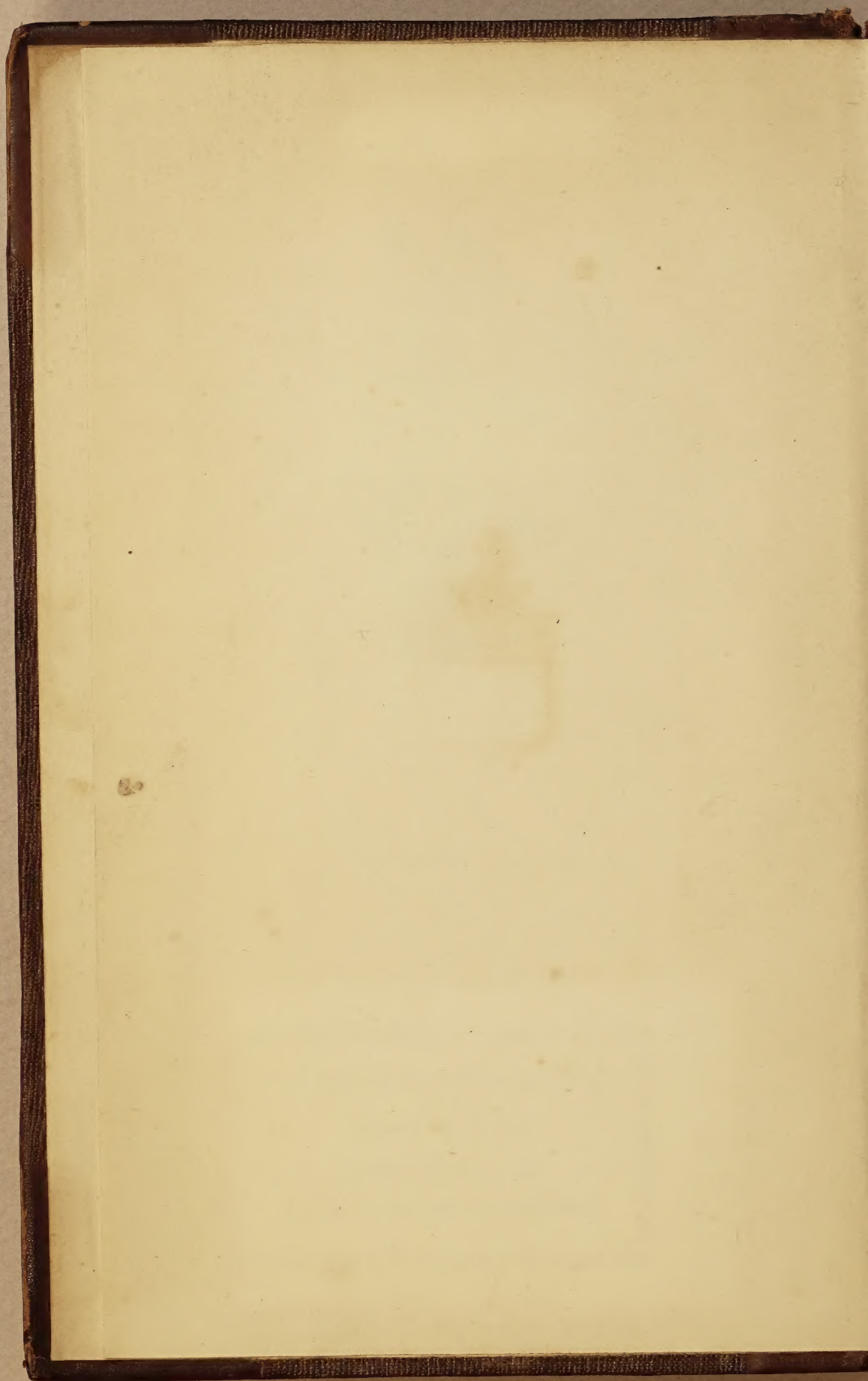
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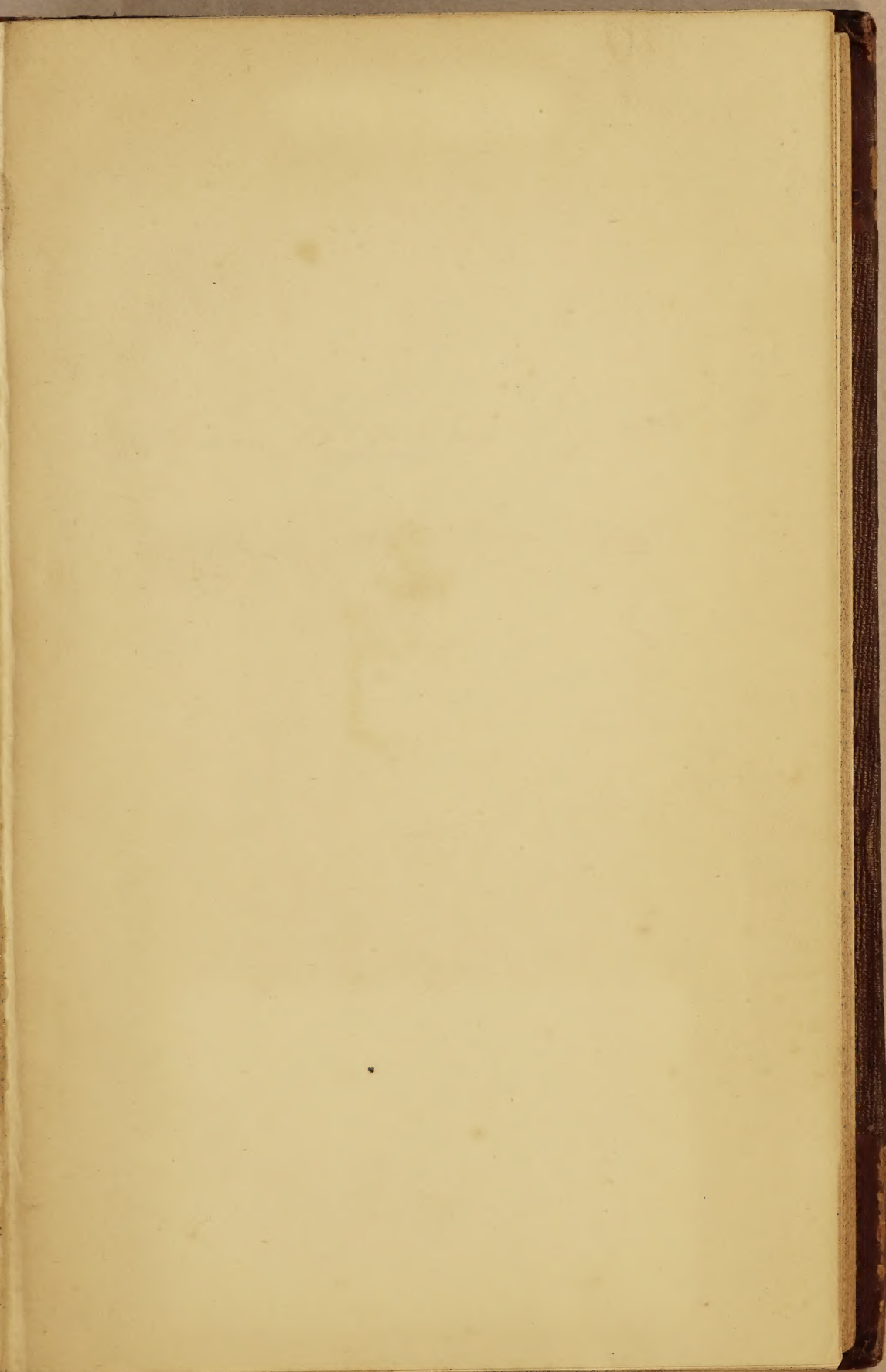
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THE
CONSOLIDATED SLAVE LAW,

Passed the 22d December, 1826,

Commencing on the 1st May, 1827.

WITH

A COMMENTARY,

(SHEWING THE DIFFERENCE BETWEEN THE NEW LAW,
AND THE REPEALED ENACTMENTS,)

MARGINAL NOTES,

And a copious Index.

SECOND EDITION,
CAREFULLY COMPARED WITH THE ORIGINAL

PUBLISHED
BY THE COURANT OFFICE.

—w—
1827.

THE

CONSOLIDATED SLAVE LAW.

Passed the 23d December, 1833.

Commenting on the 1st May, 1837.

WITH

A COMMENTARY.

SHOWING THE DIFFERENCE BETWEEN THE NEW LAW

AND THE REPEALED ENACTMENTS.

MARGINAL NOTES.

And a copious Index.

SECOND EDITION.

CAREFULLY COMPARED WITH THE ORIGINAL.

PUBLISHED

BY THE CORBANT OFFICE.

1837.

P R E F A C E*

TO THE

SECOND EDITION.

THE demand for this law has occasioned the publication of a second edition, in which any typographical errors which may have escaped in the last have been corrected. It has been attentively compared with the original, therefore its accuracy may be relied on.

In this edition, all the new clauses are pointed out by marginal notes, and the amendments to former enactments are printed in *Italics*. Those clauses of laws repealed by the new Act, but incorporated in it, are also distinguished.

Besides the Acts thus incorporated, there are several which relate to slaves and not included in the new enactments; such are: the Acts by which Curates are established, and providing for the religious instruction of slaves—the Act to amend the law relative to Coroners, which passed in 1817, inflicting a penalty on owners, &c. who neglect to inform the Coroner of the sudden death of any of their slaves, and directing the Coroner to proceed in such cases, as in like instances of the deaths of white and free persons.

The enactments incorporated are—

- 57 Geo. 3. chap. 25, commonly called the Consolidated Slave Law, all the beneficial provisions of which are embodied in the new law, as is stated explicitly in the succeeding commentary.
- 2 Geo. 4. chap. 16, enacted to prevent sentence of death on slaves being carried into effect without the Governor's warrant, excepting in cases of rebellion. There is an amendment to this law thus consolidated, (as stated in the commentary) relative to transportation.
- 3 Geo. chap. 21, requiring slaves to be properly clothed, and prohibiting slaves being employed on Sundays, without their owner's consent.
- 4 Geo. 4. chap. 15, declaratory, that rape of a slave is a felony, without benefit of clergy.
- 5 Geo. 4. chap. 21, enacted to enable persons having only a limited or incumbered freehold interest in slaves to manumise them. This law as consolidated, includes tenants for life, mortgagees, &c. and by an amendment sent down by the Council, an extension is made to the cases of *feme-coverts* and minors; at the same time permitting the consideration money to be vested in the purchase of other slaves subject to the like limitations and incumbrances.
- 5 Geo. 4. chap. 22, prohibiting levies of slaves on Saturdays, so that they may not be impeded going to market.
- 6 Geo. 4. chap. 19, enabling slaves to receive bequests.

The principal alterations in the slave law, are first the admission of slaves to give evidence against all free persons, (which capability Montesquieu says, is incompatible

* This Preface is extracted from the edition of the Slave Law published by Mr. Luman, and the manner adopted by him of noticing amendments, by printing them in the context in *italics*, has also been followed.

These elucidations with the Commentary and Notes we previously published, and which also accompany this second edition, will enable any person at all interested in the legislation of this Colony with regard to slaves, perfectly to understand the subject.

with a state of slavery:)* an entire new mode of trying slaves:† the abolition of Sunday markets in a manner analogous to the English practice: encouragement of marriage: the recognition and protection of the right of slaves to personal property—a right long sanctioned and made sacred by usage: the entire prohibition of branding slaves: the limitation of punishment; the maintenance of old infirm slaves: clauses to prevent or detect and punish the harbouring of slaves, or enabling them to avoid apprehension by means of forged tickets: to punish gambling: to remove clerks of the peace for malfeasance or incapacity; to provide for the case when slaves cannot be transported, by confining them in the workhouse: to provide for the release of such as have been sentenced to the workhouse for life, but have correctly behaved themselves for three years; to prevent preaching in the night time to slaves, except in licensed places until 8 p. m.: to prevent money contributions being raised by preachers from the slaves: making an advertisement in the County papers, sufficient notice of a trial where the owner of a slave charged with any offence cannot be found; and several other modification and amendments pointed out in the annexed comment.

Those clauses in the consolidated slave law of 1817, which prohibited slaves from possessing horses, &c., and those giving premiums to the mothers of children, the nurses and midwives, are not re-enacted.

The premium for the birth of children is not continued, because it practically proved to be a source of jealousy and ill-will amongst the slaves on a property; the mother who had lost her child before the age when the premium was received, envying her more fortunate fellow servant, and in many cases inducing abortions.

The amendments to re-enacted clauses of the law of 1817, and the general nature of the new law are explicitly stated in the following commentary.—They are shortly as follow:—

“Clergymen to baptize and marry without fee or reward; instead of a general penalty of £50 for neglect in clothing, a penalty is inflicted of £5 for each slave not properly clothed, to be recovered in a summary manner; allowance in money or provisions enforced where there are no negro grounds; authorising the sale of diseased slaves, (in custody of the marshalls, and maintained at the public expence,) should they recover; to keep separate from runaways, or criminals, slaves committed to workhouses on complaints of ill treatment, until enquiry can be made; persons fined for improper punishments may be committed to gaol in default of payment; the punishment of death for attempting to depart the island, or for compassing or imagining the death of a white person, abolished; the hours of amusement extended from ten to twelve at night; and making it the duty of rectors and curates to attend criminals under sentence of death.”

“By enumerating the above important improvements to the Slave Code of this island, which have taken place in so short a period, all doubt must be removed of the sincere disposition of its inhabitants to grant every indulgence to the slave which can be conceded with safety, or which may be consistent with that indispensable coercion necessary to enforce all human labour, where no apprehension exists of the want of the necessaries of life, which the owner is by law obliged to supply. In the same manner does the nation provide for soldiers, and if from them is removed the dread of punishment, what would become of that discipline which has rendered them the bulwark of the state? The poor peasant, in England, if he will not work, is dismissed with his family to starvation by cold and hunger, of which many of them miserably perish; and, too often, when he is willing to work, from the want of employment, he suffers the same melancholy fate.”

* This admission is restricted to slaves who are baptised, except if white or free persons associate themselves in crimes with slaves, when the evidence of their accomplices; whether baptised or not, is valid against them. This degradation of a free accomplice of slaves is taken from the Trinidad order in Council, and was proposed by Mr. Lunan.

† The removal of the trials of slaves from the Courts, commonly called Slave Courts, and putting them under the jurisdiction of the Courts of Quarter Sessions, thereby giving them the benefit of a Grand Jury, and directing the appointment of persons to defend them, is an alteration in the Laws, which we think far transcends any other.

SECOND EDITION,

COMMENTARY

ON THE

NEW SLAVE LAW.

(1) *This clause repeals several enactments, but the effect of these repealed laws, with several beneficial extensions are consolidated in the subsequent clauses of this law. The alterations will be pointed out in notes as the reader proceeds.*

(2) *The second clause of the new slave law declares the act (25 Geo. 3, cap. 8.) still in force. This act prevents "slaves standing charged with any crime or offence from availing themselves on their trials of manumissions granted them after the commission of the crime or offence with which they stand so charged."*

(3) *This clause was the second in the former consolidated slave law, and only differs from it by directing baptisms to be without fee or reward.*

(4) *This clause merely enacts, that the marriages of slaves shall be without fee, and by their owner's consent.*

(5) *This clause only consolidates the 9th section of 8 Geo. 2, cap. 5, which enacts that families of slaves levied on are not to be separated.*

(6) *Abolishes Sunday markets after 11 a. m. excepting in cases of druggists, and a few other exceptions enumerated in the clause. This provision is new, and in conformity with the spirit of the laws of England relative to the Sabbath.*

(7) *Prohibits levies of slaves on Saturdays, in order to enable them to attend religious duties on Sundays. This clause is only a consolidation of 5 Geo. 4, cap. 22.*

(8) *Directs that slaves shall have one day in every fortnight, except in crop time, but at least twenty-six days in the year to cultivate their grounds, exclusive of Sundays, under a penalty of £20 on the overseer, &c. This clause is similar to the 4 of the repealed consolidated slave law of 1816.*

(9) *Prohibits persons from employing the slaves of others, and is a re-enactment of the 4 clause of 3 Geo. 4, cap. 21.*

(10) *Directs that slaves shall not be compelled to work on Sundays, even in crop time. This is further than the Barbice order in council goes, for that allows potting of sugar, and any other necessary work on that day. This clause also prohibits the mill from being put about from 7 p. m. on Saturday to 5 a. m. on Monday. It is a re-enactment of the 5 clause of the repealed law of 1816.*

(11) *Requires the slaves to be furnished with grounds or weekly allowance of 3s 4d. It re-enacts the 6 clause of the law of 1816.*

(12) *Requires that the slaves shall have proper clothing. It differs from the 7 clause of the repealed law of 1816 by making the penalty of £5 for each slave neglected to be clothed, in place of a general penalty of £100, and makes it recoverable summarily before three justices.*

(13) *Requires the owner or overseer, &c. on 28th March in each year after, 1827, to*

give in an account of the negro clothing; and make return to the vestries at the same time, that he has inspected the grounds; and also requires, in addition to the customary return, that where there are no negro grounds the owner shall swear the slave receives his weekly allowance 3s. 4d. The return under this clause will not be required till 28th March, 1828. The returns of clothing, &c. till then, will be made under the former enactments as usual.

(14) A clause enacting that where the slaves are less than forty, the penalty on breach of 12 and 13 shall be one half, [£50] but recovered summarily. Similar to 3 Geo. 4, cap. 21, sec. 2.

(15) A new clause and very important. It recognises the right of slaves to personal property, and gives it a further protection than that of free persons, by inflicting a penalty of £10 on the person trespassing on it, in addition to the value, to be recovered summarily. There is a proviso, that slaves are not hereby authorised to keep cattle, &c. on owners or other persons lands without permission.

(16) Recognises the right of slaves to receive bequests of personal property, but not to sue or be sued. It is a new consolidation of the repealed 6 Geo. 4, cap. 19. To this part of the new law, an amendment was sent down by the council, on motion of the attorney-general, to give the owners, or in their default the custodes, the right of suing for slaves as *prochein amis*, but it was rejected by the assembly, as inconsistent with slavery, and opening a door to endless litigation.

(17) Mothers having six of their own or adopted children are exempted from hard labour, and their owners from taxes. Similar to 12 clause of law of 1816.

(18) Sick and infirm slaves are to be maintained at their owner's expense, and if they wander about with his or his agent's permission, such owner or agent is subject to a penalty of £20, and the expense of maintaining the slave in the workhouse—similar to 13 clause of law of 1816.

(19) Diseased or destitute manumitted persons are to receive parochial relief; to be passed to their respective parishes; and sent to the workhouse under regulations of the justices. This clause is 14 of the law of 1816.

(20) Is the same as the 15 of the law of 1816, and by it, manumitted persons settled under clause 19 may claim all benefit of manumission-bond, directed by 15, Geo. 3, cap. 18, as fully as if same had been entered into.

(21) Imposes a penalty of £100 on the owner not giving persons manumitted by him £10 a-year, which penalty is to be paid the churchwardens, and out of it they are to support the manumitted person.

(22) Goods of owners so manumitting at any time liable to parochial charge of maintaining such infirm persons—similar to 16 clause of law of 1816.

(23) Infirm and valueless slaves of insolvents levied on to be sent to the parish of owner, and supported at parochial charge—the same as 17 of law of 1816.

(24) Record of proceeding, under 24 clause, to indemnify provost marshal—the same as 18 of law of 1816; but a new proviso is inserted, that if slave becomes valuable, workhouse-keeper to report to provost marshal, and supreme court to order sale.

(25) Slaves with jaws, &c. not to wander about, under penalty of £20—the same as 19 of law of 1816.

(26) Slaves to have half an hour for breakfast and two hours for dinner; not to be compelled to field labour till five in the morning or after seven at night, except during crop, under penalty of £50—same as 20 of law of 1816.

(27) Holidays at Christmas, Easter, and Whitsuntide, to be allowed; but not more than three in succession, under penalty of £5—same as 21 of law of 1816.

(28) Slaves informing against persons harbouring runaways, to receive reward not less than 20s. nor more than 40s.—differs from 22 of 1816, by increasing the minimum as well as maximum of the reward.

(29) Slaves killing or taking slave in rebellion, to receive reward of £3 if killing, and £5 if taking alive, and a blue coat from churchwardens, who are to be reimbursed by receiver-general—same as 23 of 1816.

(30) Murder of slave punished with death; not to work corruption of blood or forfeiture—same as 24 of 1816.

(31) Carnal knowledge of a female slave, under ten, punished with death—same as 4 Geo. 4, cap. 15, sec. 1.; passed in consequence of Simpson's case.

(32) Rape on female slave punished with death; no corruption of blood or forfeiture to ensue—same as 4 Geo. 4, cap. 15, sec. 2.

(33) Owner or other person, by whom slaves are maltreated or branded, to be punished with fine or imprisonment, or both; action of damages may be brought by owner, where other person has maltreated the slave; in atrocious cases of maltreatment by owner, slave to be made free, and to receive £10 per annum from the parish, to which parish the fine of £100 on owner is to be paid in such cases; slave maltreated to be sent to the workhouse by any justice of the peace, but not worked or confined with slaves under punishment, till special sessions meet, and such justice to report to custos or senior magistrate, who to convene special sessions of not less than three justices, who, if they find complaint frivolous, to punish complainant, but if it be well founded to take recognizances, &c. and to remand slaves to workhouse, till legal meeting of justices; and vestry, who to be a council of protection, and if they see cause, to prosecute offender to effect, at expence of parish, and empowered to sue owner for costs; keeper of workhouse to produce slaves to the special sessions of three justices, or to council of protection, under penalty.

This clause differs from the 25 clause of the law of 1816, by prohibiting branding, and by appointing a special sessions of three justices, who are to decide whether there is sufficient ground to send the offence to a council of protection, appointed according to the same provisions as in the 25 of the law of 1816.

(34) Imposes a penalty on the justices and vestry, not attending the council of protection.

This is a new enacting clause.

(35) Any justice on view or information of slave being maltreated, to send for same, and if fact is so, to send slave to workhouse, where he is not to be worked, till further enquiry is made—same as 26 of law of 1816.

(36) Slaves not to receive more than ten lashes, except in presence of owner or overseer, &c. nor in such presence more than thirty-nine, nor until recovered from former whipping, under penalty, &c.—same as 27 of law of 1816.

(37) Slave not to be sent to workhouse for more than ten days, or to receive more than twenty lashes therein, without order of justice; further punishment of slave under such circumstances prohibited.

A new clause, which by limiting public punishment by a dispassionate person, encourages its infliction by the owner who must of necessity be less dispassionate.

(38) Justices to enquire into complaint or probable information, that a slave is improperly punished, and to proceed, if true, according to law—if frivolous to punish informant.

Similar to 28 of law of 1816.

(39) No collar, &c. to be fixed on slave, but by order of a magistrate, on incorrigible runaways, or those accustomed to commit depredations on grounds. In all other cases justice to cause such collar, &c. to be removed under a penalty of £100

Similar to 29 of law of 1816.

(40) Slaves, except when going to market, not to go out from owner's plantation, or to travel from one town to another without a ticket specially worded, under penalty on owner, overseer, &c. unless he prove on oath that such slave went away without his consent; in such case justice to order punishment; penalty on justice neglecting duty.

Similar to 30 of law of 1816.

(41) Ticket not to exceed one calendar month.

Similar to 31 of law of 1816.

(42) Slave absent five days without a ticket, or found eight miles from place where belonging, to be deemed a runaway, except slaves going to, and returning from, market.

Similar to 62 of law of 1816.

(43) Runaways for above six months to be sentenced to hard labour or transportation.

Similar to 63 of law of 1816.

(44) Runaways for time not exceeding six months tried summarily, and punished with whipping or hard labour: if incorrigible, tried as if runaway for above six months—similar to 64 of law of 1816.

(45) Slaves harbouring runaways, or giving them false tickets, to be punished as court

directs, not extending to life—differs from 65 of 1816 by providing for slaves giving each other fictitious tickets, and by referring to the new mode of trial by quarter sessions; or special slave courts, instead of the common slave courts, superseded by the new law in a subsequent clause.

(46) Free persons harbouring runaways fined and imprisoned, and to pay hire of slave, at 3s. 4d. per day, recoverable in quarter sessions. Proviso, that prosecution may be had under the inveigling act. This is a new provision to prevent harbouring of slaves by free persons.—See 4 clause of the inveigling act, (36 Geo. 3, cap. 10.)

(47) Justices to grant warrant against runaways and harbourers, being slaves. Persons so authorised, by such warrants, giving notice to owners, may forcibly enter into negro houses to search. Proviso that warrant be executed by a constable or white or other special constable. This is a clause to enable justices to enforce the 46th.

(48) Persons giving slaves fictitious tickets punished by fine or imprisonment, or both. This clause is similar to the 32 and 33 of the law of 1816, which made a distinction between white and other free persons committing this offence. The punishment of transportation for this offence is also taken away, and authorises trial by quarter sessions.

(49) Persons apprehending runaways to receive a reward of 10s. and mile money, 1s. for first five miles, and 6d. after. Proviso, that not to be an addition to reward otherwise given maroons. Proviso, not to deprive maroons of reward of 40s. This clause is similar to the 66 of the law of 1816.

(50) Runaways to be carried to owner or justice, who to commit to workhouse, and the keeper to pay said reward and mile money, under penalty—similar to 67 of the law of 1816.

(51) Runaways to be advertised on oath under penalty. Workhouse-keeper to receive from owner the charges and fees. Printers' accounts, authenticated on oath, paid by treasurer of workhouse. Workhouse-keeper may detain slaves for charges and fees.—Workhouse-keeper alone to attest on oath that charges are legal. Proviso, owners of slaves sent to workhouse under any sentence not to pay fees.—Similar to 68 of law of 1816.

(52) Workhouse and gaol keepers to find slaves food, and clothing if necessary, under penalty.—The same as 69 of law of 1816.

(53) Persons in workhouse alleging themselves to be free, custos or senior justice to convene special sessions of not less than three justices, and to give public notice of their meeting. If person appears free to discharge him, otherwise to remand him. Proviso, that such decision not to prejudice title of such person to freedom; or of alleged owner.—The same as 70 of law of 1816.

(54.) Slaves not to be sold out of workhouses without a certificate of justices at special sessions; otherwise sale void.—The same as 71 of law of 1816. This clause seems to refer to the case of slaves alleging themselves to be free, but the context declares that no slave shall be sold without such investigation before a special session of three justices and their certificate to that effect. Workhouse keepers ought to read this clause more attentively than they generally do.

(55.) Workhouse-keeper receiving Replevin, Replegiando, &c. to advertise same, and name, marks, &c. of slave for four weeks, under pain of fine. Charges to be paid by owner recovering. Notice of intent to defend action being given, the workhouse-keeper to detain alleged slave; Unless security be offered, and notice thereof given—Similar to 72 of law of 1816.

(56) Slaves going off the island or conspiring so to do, and slaves abetting others, to be punished as court directs, not extending to life.—Similar to 74 of law of 1816, but differs by preventing sentence of death being passed.

(57.) Free persons aiding slaves in going off the island, fined 300l. and imprisoned at court's discretion, not exceeding twelve months.—This clause differs from 75 and 76 of law of 1816, by making no difference between white and other free offenders. By the repealed law, coloured free offenders were punished with transportation, and on their return, with death, but white offenders were fined and imprisoned—by the present enactment the punishment of all classes of free offenders is limited to fine and imprisonment.

(58.) Accessary may be convicted before principal.—The same as 77 of law of 1816.

(59.) Slaves not to travel with dogs or weapons, or to hunt with deadly weapons, without

permit from owner, or white person deputed by owner; punishment not to extend to life, or transportation for life.—Same as 78 of law of 1816.

(60.) Owners, overseers &c. to prevent drum beating, &c. by strange slaves, or to give notice to next magistrate or commissioned officer, under penalty of £.50. Proviso, information to be laid in fourteen days.—Same as 34 of law of 1816.

(61.) Officers, civil and military, to suppress such assemblies and drummings, and to enter plantation, &c. for that purpose.—Same as 35 of law of 1816.

(62.) Owner, overseer, &c. suffering assemblies of slaves, beating of drums, &c. to be imprisoned. Information to be laid in fourteen days. Owner, &c. may allow slaves of plantation only, to divert themselves, but not to use warlike instruments. Proviso, that such amusement to end by twelve at night.—Same as 36 of law of 1816, with this difference, that by the repealed Law the amusement of slaves must cease at ten at night and the new enactment extends the time to twelve.

(63.) Negro burials to be ended before sun-set, under penalty, on owner, overseer, &c. If burials in towns or savannas, &c. free persons in whose house is the assembly, to be fined and slaves whipped.—This clause differs from 37 of law of 1816 by the trial of the slave being before three or more justices instead of two or more.

(64.) Free persons suffering unlawful assembly, fined and imprisoned. Information, to be laid in fourteen days.—Similar to 38 of law of 1816.

(65.) Free persons or slaves suffering gaming with slaves in their house, to be carried before justice. Slaves to be whipped, and free persons sent to gaol. This is an improvement and addition to the law of 1816.

(66.) Manumission bonds dispensed with in devises of freedom; but estate of testator liable for annuity to emancipated. Freedom by will at once established. Proviso, not to exempt liability to testator's debts. This clause is similar to 41 of law of 1816, but deletes the proviso requiring devises of manumissions to be under will, so executed as to pass real estates, and on the contrary enacts, that Slaves may be manumised under will, so executed as to pass personalties.

(67.) Persons possessing limited freehold interests in slaves may manumise them. To apply to custos or senios magistrate, and if interested, to other magistrate, with statement on oath of limitations, &c. Two other justices to be associated. Three valutors appointed. Proviso, how feme covert is to give consent. If absentee, her appearance dispensed with. Proviso, that intention of such manumission be advertised.—This clause is founded on the repealed law 5 Geo. 4, cap. 21, sec. 1; but its provisions are more extensive, in consequence of amendments sent down by the council, on motion of the attorney-general, applying to cases of feme coverts, minors, &c.

(68.) Receiver-general to receive valuation (on authority from custos, &c.) paying six percent. so long as in his possession.—This clause is similar to 5 Geo. 4, cap. 21, sec. 2.

(69.) Receiver-general to give certificate that valuation has been paid him, and magistrate to give order for manumission.—This clause contains the form of the manumission of a slave made free in pursuance of the 66, 67, 68, and 69 clauses, and is similar to 5 Geo. 4, cap. 21, sec. 3.

(70.) Order of manumission, valuation, and certificate of receiver-general to be recorded, and not delivered out but on order of court. Attested copy evidence. This clause is similar to 5 Geo. 4, cap. 21, sec. 4.

(71.) Valuation paid receiver-general, applicable to order of court of chancery or supreme court. Subject to the same incumbrances, and of the same nature as slave. Court may order interest or principal to be paid according to rights of parties. It is similar to 5 Geo. 4, cap. 21, sec. 5.

(72.) Slaves so manumised by tenant for life, dying before tenant for life, and if a female leaving no issue surviving tenant for life, whole valuation shall be deemed property of tenant for life. Not to prejudice claims against persons limiting slave in settlement, or of creditors of tenant for life. It is similar to 5 Geo. 4, cap. 21, sec. 6.

(73.) Valuation of slaves so manumised may be invested in the purchase of other slaves, subject to same limitations; and so if slave sought to be manumised in the hands of a receiver in chancery. This is an improvement on 5 Geo. 4, cap. 21.

(74.) Manumission bond dispensed with on satisfying magistrates and vestry that slave is not aged or infirm. Certificate to such effect to be given by clerk of vestry, and recorded with manumission. This clause is similar to 5 Geo. 4, cap. 21, sec. 7.

(75.) Slaves carried about for sale forfeited, and sold for poor of parish and informer. This clause is similar to the 42 of law of 1816, only it requires three justices to associate instead of two.

(76.) Oath of informer good against offender under last clause. This clause is the same as 43 of law of 1816.

(77) Sales contrary to two last clauses void. Justice, on information, to issue warrant to take up such slave, and to sell and appropriate as in 76th clause. This clause is the same as 44 of law of 1816.

(78) Certiorari not to issue on any proceedings of this act. This clause is the same as 45 of law of 1816.

(79) Slaves guilty of rebellion, murder, or other felonies, to be tried as after-mentioned, and to suffer death or other punishment at discretion of Court.—This clause differs from the 46 of the law of 1816, by leaving out the words “or compass or imagine the death of any white person, and declare the same by some overt act.” It will be remembered that these words have been ridiculed in the House of Commons, as shewing a monarchical mania, and rendering the owner of a slave a petty sovereign, whose death it was felony to imagine.

(80) Slaves assaulting free persons, punished at the discretion of court. Provided that assault not by command of owner, &c. or in defence of owner's, persons, or goods.—This clause is similar to the 47 of the law of 1816.

(81) Slaves having fire arms, &c. in their possession, without knowledge of owner, &c. to be taken before three magistrates, and if with evil intent, to be tried and punished at discretion of court, not extending to life.—This clause differs from the 48 of law of 1816, by preventing the sentence being death.

(82) Obeah, with intent to excite rebellion, or endangering life or health of a slave, punished at discretion of court.—This clause is similar to the 49 of the law of 1816.

(83) Slaves preaching without permit from owners and quarter-sessions, to be whipped or set to hard labour.—This clause only differs from the 50 of the law of 1816, by requiring the correction to be before three instead of two justices, and substituting “whipping” for “flagellation.”

(84) Sectarian, minister, or other teacher, not to keep open place of meeting after sunset, under penalty not less than £20, nor more than £50, recovered before three justices, one half to the informer, and the other to poor of parish. In default of payment, to commit for one month. Proviso, excepting kirk or licenced minister, at licenced place, before 8, p. m. and the rites of jews and roman catholics.—This is a new clause introduced by Mr. Batty.

(85) Religious teachers taking money from slaves to pay a penalty of £20, on summary conviction before three justices; one moiety to informer, the other to poor of parish. Informer a competent witness. In default of payment, offender to be committed to gaol for one month.—This also is a new clause, and was introduced by the same gentleman.

(86) Nightly and private meetings had amongst slaves unlawful; persons attending same may be taken before justice, committed for trial and punished if free by imprisonment, and if a slave, by hard labour or whipping.—This clause is similar to the 51 of the law of 1816, and only differs by including white persons in the list of offenders against the law.

(87) Slaves maliciously preparing poison, and all slaves accessories punishable at discretion of court.—This clause differs from 52 of the law of 1816, by vesting a power in the Court to award any other punishment than death, which they were imperatively called upon to do by the repealed Consolidated Slave Law.

(88) Slaves having poison or tools of obeah, to be punished at discretion of Court, not extending to life.—This clause only differs from the 53 of the law of 1816, by neglecting to enumerate the articles most commonly used in obeah, viz. parrots' teeth, dogs' teeth, &c. and deleting the word notoriously used: Obeah not being so much followed as heretofore, is not so notorious.

(89) Slaves assembling to take unlawful oaths, or to use arms, &c. punished at discretion of Court.—This clause is the same as the 54th. of the law of 1816.*

(90) Free persons present and aiding and abetting at assemblies mentioned in last clause, punished at discretion of court.—This clause is the same as 55 of the law of 1816.

* In 1726 it was usual to admit the evidence of slaves in trials of slaves for their lives, (before a magistrate and two freeholders, without a jury), according to the solemn form of the religion of obi, which was by swallowing the dirt from a grave, mixed with blood from the deponent's wrist, who hoped that he might swell and burst if he stated a falsehood. Hence the usual reply of unsophisticated slaves and many free persons to the question—what are the penalties of perjury? is—that they will swell. According to the rules of evidence, this form of oath should be used with pagan slaves deposing against other slaves (which, by law they may do), for it is the only form they believe in, or regard. It would be only similar to swearing the Turk on the Koran.

(91) *Persons not giving information of last aforesaid assemblies, punished by fine, imprisonment, or whipping, at discretion of court.*—This clause is the same as the 56 of the law of 1816.

(92) *Slave stealing horses, &c. or killing horses, with intent to steal carcasses, punished at discretion of court.*—This clause is the same as the 57 of the law of 1816.

(93) *Slaves having in possession flesh of horse, &c. unaccounted for, punished, if not exceeding 20lbs. by whipping; if exceeding 20lbs. at discretion of court, not extending to life or imprisonment for life.*—This clause differs from the 58 of the law of 1816, by subjecting the accused to conviction by one, in place of two justices, for the minor offence, and before three justices, in place of two, for the heavier. [It would appear by the preamble of this clause, that slaves at the present day were in the practice of eating horses; this, however, is not the case; but the recital has continued since the period when the imported Africans had that practice.]

(94) *If slave wantonly injures horse, cattle, &c. trial before three justices: punished by whipping not exceeding 50 lashes, which may be inflicted at different times, or two months' hard labour. If beast dies in ten days (though carcase not stolen), punished at court's discretion.*—This clause differs from the 59 of the law of 1816, by requiring the conviction for the minor offence to be before three or more, instead of two or more justices; and for the greater offence substituting the new form of trial of slaves in serious cases, after provided for.

(95) *Slaves mutilating other slaves, punished at court's discretion.*—This clause only differs from the 60 of the law of 1816, by substituting the new form of trial after provided for in cases of serious offences charged against slaves.

(96) *This clause states that it is dangerous to clear grounds by fire. If injury arises to one property by slaves of another so clearing grounds, slaves punished for misdemeanour. Overseer, owner, &c. to extinguish such fire; wilfully neglecting, and injury ensuing to other property, to be fined by any two justices.*—This clause is similar to the 61 of the law of 1816.

(97) *Slaves committing offences subjecting to death, transportation, or hard labour for more than one year, to be tried at quarter-sessions, or special slave court. Trial before grand and petit jurors, as white persons are tried. Justices to apprehend accused, to send for witnesses, take recognizances, and commit, &c. Slaves evidence against slaves in all cases. Indictment to be read to accused. Indictment not to be quashed for defect in form. Trial by petit jury. Petit jury being formed for trial of free persons, same jurors names to be called over, to set on slaves trial. Challenges cum causa. Owner &c. not to set on trial as juror. Place of owner or challenged supplied out of panel or by tales. Same jury to serve for every case—unless circumstances of one trial likely to bias another. Court to pass sentence of death, &c. Proviso, sentence of death or transportation not to be effected without warrant from governor, who is to have indictment, evidence, sentence, or copy attested; except in cases of rebellion, &c. when execution immediate, but reference may be made to governor. Special slave court may be held for furtherance of justice and public safety. Custos or senior magistrate to issue venire to provost marshal, who to warn forty-eight jurors. Penalty of £5 on juror not attending. Court to proceed in like manner as quarter sessions. This is one of the most important clauses in the new law. It changes the disgraceful mode of trying slaves with less caution than free men, by giving them the benefit of a grand jury, and also further differs from the 79 and 80 of the repealed consolidated slave law of 1816, by enacting that slaves charged with offences subjecting them to death, transportation, confinement to hard labour for life, or for a longer term than one year, shall be tried by the quarter sessions or special slave court as white or free persons are tried at the quarter sessions for misdemeanours, (instead of by the slave courts held under the repealed law, where the slave was put on his trial by a species of ex-officio information filed by the clerks of the peace), and also gives them the right of challenging. It also extends the provisions of the 2 Geo. 4, cap. 16, (which enacts that no sentence of death on a slave under the 57 Geo. 3 [the repealed consolidated slave law] shall be carried into execution without the governor's warrant, except on conviction of rebellion), by providing that sentence of transportation also shall not be carried into effect without the same warrant. In cases of sentence of death for rebellion, the governor's warrant may be applied for, and execution staid till then.*

(98) *Indictments in St. Thomas in the Vale and St. John preferred before grand jury in St. Catherine. Trial to be at special slave court, convened by custos or senior magistrate to meet where now held. Venire to issue. Twenty-four jurors to be summoned. Trial held as if in quarter sessions. Like penalties on provost-marshal, deputy, witnesses,*

Jurors, &c. as in quarter sessions. Clerk of peace to keep record. Proviso, that slave after six months, if no indictment preferred, to be discharged by quarter sessions. Proviso, on indictment against slave for murder, verdict may be manslaughter. Manslaughter punished at court's discretion, not extending to life. This clause provides for the case of two parishes having no separate jurisdiction from a precinct.

(99) *Magistrates at quarter sessions may dismiss or suspend clerk of the peace for ignorance or misconduct. May appoint in default of custos appointing another clerk resident. This is a new clause, the want of which has often been felt.*

(100) *Barrister or attorney to defend slaves capitally indicted. To be paid salary or fees out of parochial funds. This is a new clause; but the spirit of it has often been in practice; for, at the trials of the slaves of several gentlemen in Hanover and St. James for rebellion and other crimes in 1824, they were defended by counsel at the cost of their owners.*

(101) *Free witnesses not attending slave court to be fined. This clause is the same as 81 of the law of 1816.*

(102) *Jurors, &c. exempt from civil process, and so slaves in attendance on slave court. This clause is the same as 82 of the law of 1816.*

(103) *Records to be kept of trials of slaves, in cases when subject to death, transportation, or hard labour. Fee paid clerk of peace therefore and attendance, &c. £5. Deputy-marshal, or person under him, to attend trials of slave, execute sentence, &c. £5 for such attendance, &c. Further £5 if sentence of death executed. This clause is the same as the 83d of the law of 1816.*

(104) *Perjury of slaves punished as if by free persons. This clause completely changes the punishment for perjury. By the 84 of the repealed law of 1816, slaves guilty of perjury suffered the same punishment as the person against whom they gave false testimony would have suffered had he been convicted.—See 131 of this law.*

(105) *Warrant against slave not being executed, notice to be served on owner. Penalty of £100 if he secrets such slave. This clause is the same as the 85th of the law of 1816.*

(106) *In all trials of slaves, six days notice to owner, &c. This clause is the same as the 86th of the law of 1816.*

(107) *If owner resides in different parish from where offence committed and tried, clerk of peace to transmit notice to clerk of peace where owner resides, who to give it to constable under penalty. Penalty on constables not serving notice. Constables to make oath of service, and return to clerk of peace, who is to transmit it to other clerk of peace. Fees to clerk of peace and constable where warrant served. This clause is the same as the 87th of the law of 1816.*

(108) *In cases of runaways, owner may not be found and whenever owner cannot be found, notice of trial to be advertised. This is a new clause introduced by Mr. Lunan.*

(109) *Execution of death to be solemn and public. Rector or curate to attend criminal while under sentence, and at execution. Gaoler to keep criminal sober under penalty. Execution by hanging. This clause is the same as the 88 of the law of 1816.*

(110) *Value of slaves to be ascertained by jury, on sentence to death, transportation, or hard labour for life—to certify amount—not above £100—or convicted as runaway £50. This clause is the same as the 89 of the law of 1816.*

(111) *Provost or deputy-marshal to execute sentence under penalty, if death or transportation, by warrant from governor: (except for rebellion, when to execute on warrant of death from justices); to sell slaves for transportation; render owner just account on oath of sale, and pay him nett proceeds; if none, to certify, and receiver-general to pay. This clause differs from the 90 of the law of 1816, by providing that (in pursuance to previous new clauses, the warrant of the governor shall be necessary before sentence of transportation is effected in any case; or that of death, except in cases of rebellion, when the warrant of the justices is sufficient, if they deem it expedient to issue it without applying to the Governor.*

(112) *If the sentence is death or hard labour, receiver-general to pay owner, and; also value of transported slave, deducting proceeds of sale. This clause is the same as the 91 of 1816.*

(113) *Transported slave sold, to remain in gaol till purchaser gives bond, with surety, to transport in 30 days, and confined in mean time to vessel. Bond taken by provost marshal or deputy. Fee to that officer. Bond to be recorded. This clause is the same as the 92 of the law of 1816.*

(114) *Purchaser of convict to make oath he will transport to —. This clause is the same as the 93 of the law of 1816.*

(115) *Provost, &c. not to deliver convict till bond given, under penalty of £300. Convict found in island after said 30 days, forfeited, and to be re-sold by provost as before, and nett proceeds paid receiver-general. This clause is the same as the 94 of the law of*

(116) *Convict, at any time after sale, found in this island, to be taken before justice, who to direct provost, &c. by warrant to re-sell. Proceeds, deducting 5 per cent. and charges, to be paid in moieties to informer and receiver-general. This clause is the same as the 95 of the law of 1816.*

(117) *Convict transported for offence subjecting to death, wilfully returning from transportation, to suffer death on conviction. This clause differs from the 96 of the law of 1816, by enacting that slaves returning from transportation, for all offences subjecting them to death, shall be executed, whereas the repealed law only extended to certain capital cases.*

(118) *Master of vessel or other person bringing back transported convict, subject to penalty and imprisonment. This clause differs from the 97 of the law of 1816 by subjecting every person to fine and imprisonment, who wilfully brings back transported convicts: whereas the repealed law limited the clause to masters of vessels. This is also an amendment by the attorney-general.*

(119) *Convicts for transportation not sold in one month to be committed by warrant of justice to hard labour in workhouse till transportation. Receiver-general to pay value to owner. If provost marshal afterwards sells, to account to receiver-general, under penalty. This is a new clause, providing for the case of there being an inability to transport convicts according to the law, and was also proposed by Mr. Attorney-General.*

(120) *Convicts sentenced for life to hard labour behaving well, governor, on representation of commissioners of workhouse, may order sale, with convict's approbation. Nett proceeds to be paid receiver-general. This is a new clause, and was introduced by Mr. Mais.*

(121) *Slave sentenced to workhouse for a time, escaping, to be sent back and whipped; not exceeding 50 lashes. This is a new clause differing from the 98 of the repealed law of 1816, by enacting that the escape of a slave sentenced to hard labour for any term shall be punished by recommitment and whipping: whereas the repealed clause confined its operation to slaves committed for a less term than two years. The new clause makes the conviction before three instead of two justices.*

(122) *Slave sentenced to hard labour for life, escaping; on proof before three justices, to be recommitment or transported, at discretion. This clause differs from 90 of law of 1816 by requiring the conviction to be before three instead of two justices. [Under the old law this anomaly existed between the 98 and 99 clauses, that a slave committed for a longer term than two years, but not for life, could not be punished for his escape.]*

(123) *Escape permitted by provost, deputy, constable, or workhouse keeper, conviction before three magistrates and fine not exceeding £50. This clause is the same as the 100 of the law of 1816.*

(124) *Fees of deputy marshal, &c. for slaves discharged by proclamation to be paid by public. This clause is the same as the 101 of the law of 1816.*

(125) *Gaol-keeper not to employ slave prisoners, (but which are to remain in gaol for inspection of any person,) under penalty. This clause differs from the 102 of the law of 1816, by declaring the penalty shall not exceed £50, whereas, by the repealed law, it was ex necessitate £50.*

(126) *Inferior crimes of slaves punished summarily before two or more justices. Notice given to owner. Punishment not to exceed 39 lashes or three months' hard labour.— This clause differs from 103 of the repealed law of 1816 by including amongst the inferior misdemeanours to be punished summarily, "swearing, obscene language, drunkenness, and indecent and noisy behaviour;" it also reduces the maximum of punishment from fifty lashes or six months' hard labour, to thirty-nine lashes or three months' hard labour.*

(127) *Clerk of the peace attending summary trial to receive £1. 6s. 8d.—Constable 10s. from churchwardens; except Kingston, where clerk 13s. 4d.—constable 5s. This clause is the same as 104 of the repealed law of 1816.*

(128) *Evidence of slaves admitted in certain criminal cases. Proviso, that certificate of baptism be produced, and that slave understands obligation of an oath. Proviso, that no free person be convicted but on evidence of two slaves, who to be examined apart. Proviso, that no free person be convicted on slave testimony unless complaint be made within 12 months, and after 1st May, 1827. This clause, which admits the evidence of slaves against free persons in certain criminal cases, is entirely new, and was the subject of many debates, before it became a law. The council, on motion of the attorney-general, sent*

down amendments to the assembly, rendering the evidence of one slave sufficient in capital cases, and taking off the restrictions, but they were unanimously rejected.

(129) Justice or coroner taking slave's examination to certify in jurat that slave understands the nature of an oath—to take recognizance for slave's production—to transmit deposition and recognizance to clerk of the crown. If recognizance of slave witness not given, or if owner, is the person accused, or there is cause to apprehend that witness may be kept away, to commit witness to gaol to be kept and maintained. If person in possession of witness produces him, to receive mile-money and hire. Justices to grant certificate, and receiver-general to pay. This clause is also new, and grows out of the one immediately preceding.

(130) When slave is a witness, court cannot declare other slave free. This clause is new, and seeks to prevent slaves committing perjury under temptation of procuring the freedom directed by 33rd clause to be given to seriously maltreated slaves.

(131) Slave committing perjury to be punished by hard labour, pillory, whipping, or all. This clause to punish perjury is new, and is rather superfluous, being scarce more than a re-enactment of the 104 clause relative to perjury, but it is meant to apply to the admission of slave evidence against free persons.

(132) Slaves being witnesses protected from levies. This is a new clause, and has the same application as 131.

(133) Free persons associated in crimes with slaves may be convicted on evidence of slave accomplices, baptised or not, except where life may be affected. This is a new and very important clause: it evidently was enacted in consequence of a late case of deportation, and is handmaiden to the alien and sedition laws.

(134) This law is not to cease in martial law. This clause is the same as 105 of the repealed law of 1816.

(135) Penalties not already declared how recoverable, if not exceeding £50, before two justices—if more, to be sued in superior courts, one moiety to informer and the other to churchwardens for poor. Provided that all penalties be sued for, 12 months after crime committed. This clause is the same as 106 of the repealed law of 1816.

(136) Offences committed under late consolidated slave law, and other repealed acts, to be punished by said acts, but tried in manner directed by this. Penalties applied as directed in repealed acts.

(137) Duration of this law from 1st May, 1827, to 1st May, 1830.

The following clauses of the Consolidated Slave Law of 1816 are not re-enacted in the new law:—

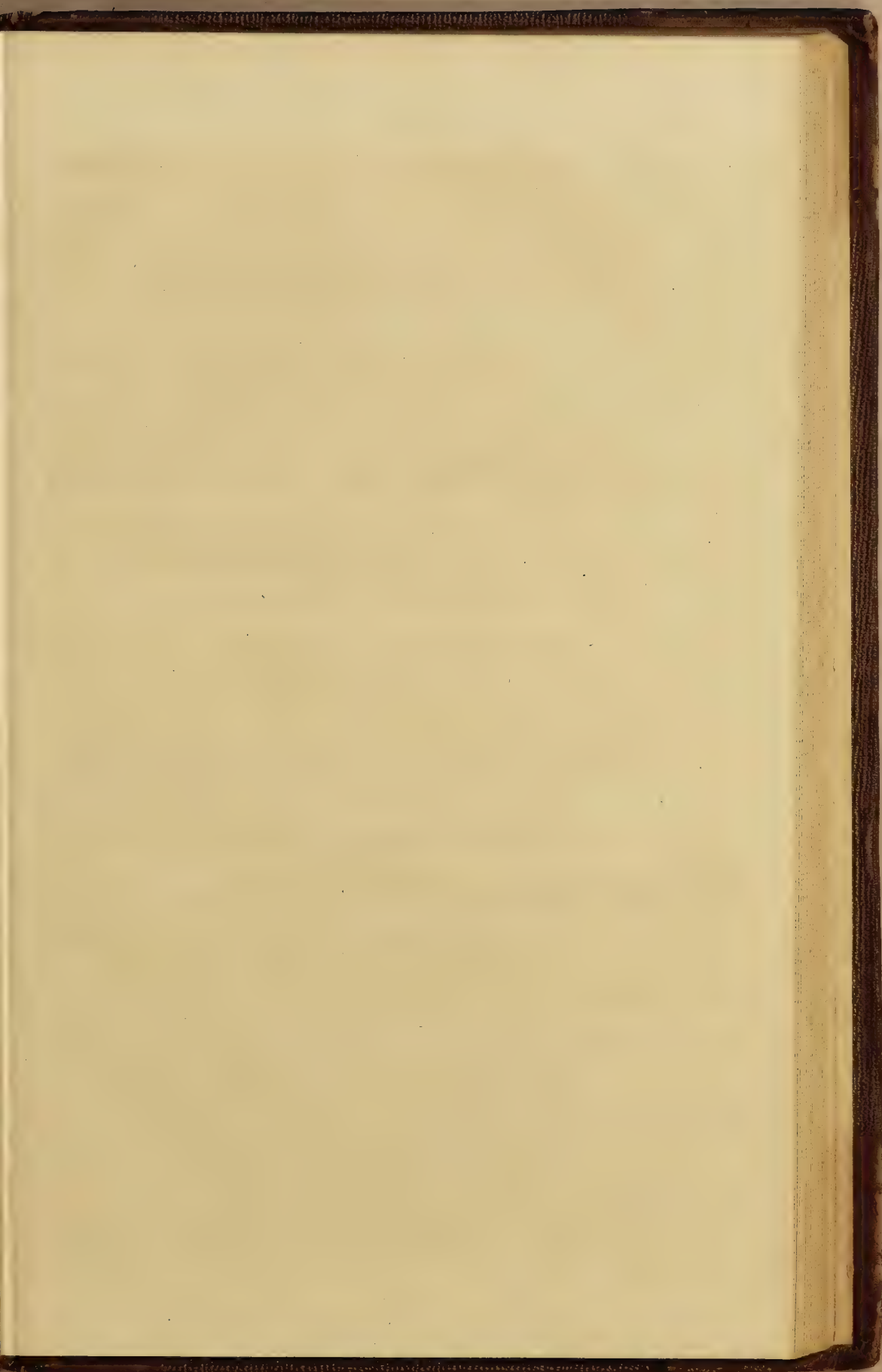
(9) Requiring annual returns of births and deaths of slaves.

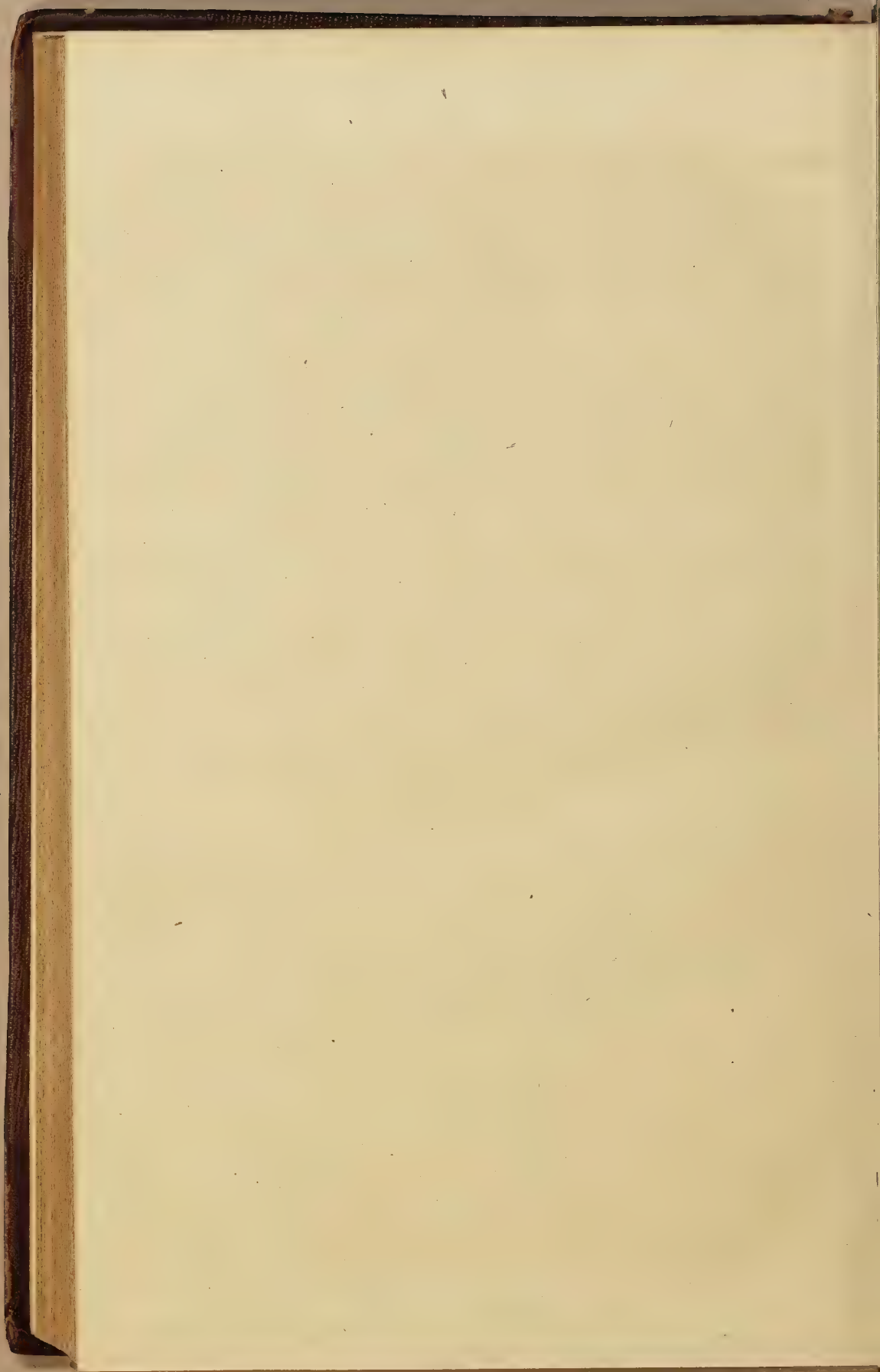
(10) Authorising a deduction of the penalty for not making returns, from the overseer's salary.

(11) Directing £3 to be divided amongst the mother, midwife, and nurse of a child.

(39 and 40) These clauses prohibited slaves from having horses or mules. They are not only repealed, but the property of slaves in horses, &c. is secured.

(73) Directing runaways to be committed to workhouses only.





JAMAICA, ss.

AN ACT,

TO ALTER AND AMEND THE

SLAVE LAWS

OF THIS ISLAND.



I. **W**HEREAS, it is expedient that the laws now in force, relating to slaves, should be revised and consolidated, and other provisions be enacted to promote their religious and moral instruction, and by means whereof their general comfort and happiness may be increased as far as is consistent with due order and subordination and the well-being of this colony :

May it therefore please your Majesty that it may be enacted; Be it therefore enacted, by the Governor, Council, and Assembly, of this your Majesty's island of Jamaica, That from and after the commencement of this act, an act entitled "An act for the subsistence, clothing, and the better regulation and government of slaves; for enlarging the powers of the council of protection; for preventing the improper transfer of slaves; and for other purposes," passed the nineteenth day of December, in the fifty-seventh year of the reign of his late Majesty King George the third; also an act, entitled "An act to amend the slave act, by altering the mode of carrying into execution the sentence of death on slaves," passed the fourth day of December, in the second year of the reign of his present Majesty King George the fourth; also an act, entitled "An act to take away clergy from offenders in rape on slaves," passed the eleventh day of December, in the fourth year of the reign of his present Majesty King George the fourth; also an act, entitled "An act for removing impediments to the manumission of slaves, by owners having only a limited interest," passed the eighteenth day of December, in the fifth year of the reign of his present Majesty King George the fourth; also an act,

Preamble.

Repeal of consolidated slave law (57 Geo. 3, cap. 25.)

Of 2 Geo. 4. chap. 16.

Of 4 Geo. 4. chap. 15.

Of 5 Geo. 4. chap. 21.

Repeal of 5 Geo. 4.
chap. 22.

Of 6 Geo. 4. chap. 19.

New clause.

Declaratory that 25
Geo. 3, cap. 8, is not
repealed.

Slaves to be instructed
in religion, and bap-
tised without fee or re-
ward.

Amendment.

New clause.

Marriages of slaves to
be solemnised without
fee.

Proviso, that the own-
er's permission shall
be produced.

New clause.

Slaves to be sold in fa-
milies,

When so levied on.

Proviso, that levies
may be made on indi-
vidual slaves, and ex-
cessive levies not au-
thorised hereby.

New clause.

Sunday markets after
11 A. M. abolished.

entitled "*An act to prevent levies on slaves on Saturday*," passed the eighteenth day of December, in the fifth year of the reign of his present Majesty King George the fourth;" and also an act, entitled "*An act to enable slaves to receive bequests of money or other personal estate*," passed the twenty-first day of December, in the sixth year of the reign of his present Majesty King George the fourth, shall be and stand repealed, and the same are hereby repealed accordingly. (1)

II. *Whereas*, doubts may be entertained, whether the act of 25 George Third, cap. 8, has been repealed by any act or acts heretofore passed, in order to put an end to such doubts, *Be it enacted by the authority aforesaid*, That nothing in any act heretofore passed, or nothing in this act contained, shall repeal the said mentioned act, but that the same shall be in as full force and virtue as if the said several acts had never been made. (2)

III. *And be it further enacted by the authority aforesaid*, That all owners, proprietors, and possessors, or in their absence the managers or overseers of slaves, shall, as much as in them lies, endeavour the instruction of their slaves in the principles of the Christian religion, whereby to facilitate their conversion, and shall do their utmost endeavours to fit them for baptism, and as soon as conveniently can be, cause to be baptised all such as they can make sensible of a duty to God and the Christian faith, which ceremony the clergyman of the respective parishes are to perform, when required, *without fee or reward*. (3)

IV. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for any slave or slaves, who has or have been baptised, who may be desirous of entering into the holy state of matrimony, to apply to any clergyman of the established church to solemnise such marriage, who is hereby required to perform the same without any fee or reward, if such clergyman shall, upon examination of such slaves, consider them to have a proper and adequate knowledge of the nature and obligation of such a contract: *Provided always*, That such slave shall produce to the clergyman a permission in writing from his owner or from the legal representative of his owner for that purpose. (4)

V. *And whereas*, by the ninth section of the eighth George the second, chapter fifth, it is enacted, "that whenever hereafter any slave or slaves, taken on any writ of venditioni, shall be exposed to sale, the provost-marshal, or his deputies respectively, shall sell all such slaves singly, unless in cases of families, in which case, and no other, the said provost-marshal, or any of his deputies, may set up to sale such family or families, consisting of a man and his wife, his or their children;" *And whereas*, it seems necessary further to enforce this provision: *Be it therefore enacted by the authority aforesaid*, That in all cases where a levy shall be made by any deputy-marshal or collecting-constable of a family or families, each family shall be sold together and in one lot: *Provided always*, That nothing in this act contained shall be understood to interfere with levies on individual slaves, nor be construed to authorise excessive levies. (5)

VI. *And be it further enacted by the authority aforesaid*, That no white person or persons of free condition, shall expose on a Sunday, after the hour of eleven o'clock in the forenoon, any goods or provisions for sale in any market or in any

shop or other places, under a penalty not exceeding five pounds for every offence, to be recovered in a summary manner, before any two magistrates; and if any slave do commit such offence, the goods so exposed to be forfeited, by order of any justice of the peace, for the benefit of the poor of the parish where such offence is committed: *Provided*, That nothing herein shall extend to prevent the keeping open any druggist-shop, tavern, or lodging-house, or the sale of fresh meat and fresh fish, or milk, on Sunday; such sale, however, not to take place in any town or place during the hours appointed for the celebration of divine service therein: *Provided always*, That sufficient notice be given in the market that the hour for closing it has arrived. (6)

Proviso, except druggist shops, tavern, &c. sale of fresh meat, fish, &c. milk, out of time of service.

Proviso, that notice of closing the market be given.

VII. *Whereas*, it is expedient to render the sabbath as much as possible a day of rest and for religious worship: *And whereas*, it would be right and proper that slaves should be protected on some other day in the week besides Sunday from being taken or levied upon for debt, under any process issuing out of any of the courts of justice in this island, or by collecting constables for taxes: *Be it therefore enacted by the authority aforesaid*, That it shall not be lawful to make any levy upon any negro or other slave on Saturday, and that they shall be exempt from all such process, and also from levies by collecting constables for taxes on that day the same as on Sunday. (7)

Levies on Saturdays prohibited.

VIII. *And be it further enacted by the authority aforesaid*, That from and after the commencement of this Act, the slaves belonging to or employed on every plantation or settlement shall, over and above the holidays hereinafter to be mentioned, be allowed one day in every fortnight to cultivate their own provision grounds, exclusive of Sundays, except during the time of crop, under the penalty of twenty pounds, to be recovered against the overseer or person having the care of such slaves; *provided always*, that the number of days so allowed to the slaves for the cultivation of their grounds, shall be at least twenty six in the year. (8)

Slaves to be allowed 26 days in the year, exclusive of Sundays.

IX. *And whereas* much mischief is occasioned by persons employing the slaves of others: *Be it enacted by the authority aforesaid*, that from and after the [passing] of this Act, no person or persons whomsoever shall employ the slave or slaves of others for any reward or hire to be paid to them on the Sunday or any other day allowed such slave by law, without the consent in writing of such owner or owners, or overseers, first had and obtained, under a penalty not exceeding five pounds for each negro so hired or employed; such penalty to be recovered in a summary manner by warrant under the hands and seals of two magistrates of the parish in which the property is situated where the offence shall have been committed; and in case of nonpayment of such penalty, to commit the offender or offenders to the common gaol of the county in which such offence shall have been committed, for a space not exceeding twenty days, or until such penalty shall be paid; and such penalty shall be for the benefit of the party, proprietor, or possessor of such slave complaining, in case such offence shall be proved by a disinterested person; and in case such offence shall be proved by the owner, proprietor, or possessor of such slave, such penalty shall be for the benefit of the poor of the parish in which the same offence shall be committed. (9)

Persons not to employ the slaves of others without permission.

Penalty imposed.

No labour to be done on plantations by slaves on Sundays. Mills not to be worked between 8 p.m. Saturday and 5 a.m. Monday, under penalty of £20.

Negro grounds to be inspected.

Where not sufficient negro grounds, each negro to receive 3s. 4d. per week, under penalty of £50.

Clothing to be provided each slave, under penalty of £5.

Amendment.

Master, overseer, &c. under penalty of £100 to give in to vestry nature and quality of clothing; that he has inspected negro grounds, where any; and that each slave is sufficiently provided with ground provisions.

Or such ample provision as before directed.

Council amendment.

Where slaves of person not complying with 12 and 13 clauses are less than 40, a penalty of £50 to be recovered summarily.

X. *And be it enacted by the authority aforesaid,* That during the crop, not only shall the slaves, as heretofore be exempted from the labour of the estate or plantation on Sundays, but that no mills shall be put about or worked between the hours of seven o'clock on Saturday night and five o'clock on Monday morning, under the penalty of twenty pounds, to be recovered against the overseer or other person having the charge of such slaves. (10)

XI. *And be it enacted by the authority aforesaid,* That every master, owner, or possessor, of any slave or slaves, or his or her overseer or chief manager, shall, under the penalty of ten pounds, for each neglect, cause the condition of the negro grounds to be inspected once in every month at least, in order to see that the same are cultivated and kept up in a proper manner, of which oath shall be made, as in this act is hereafter directed. *And whereas* it may happen, that on some plantations, penns, settlements, and towns, in this island, there may not be lands proper for the cultivation of provisions, or where by reason of long continuance of dry weather, the negro grounds may be rendered unproductive, then, and in that case, the masters, owners, or possessors, do by some other ways and means, make good and ample provision for all such slaves as they shall be possessed of, equal to the value of three shillings and four-pence currency, per week, for each slave, in order that they may be properly supported and maintained, under the penalty of fifty pounds. (11)

XII. *And be it further enacted by the authority aforesaid,* That every master, owner, or possessor, of slaves, shall once in every year, provide and give to each slave they shall be possessed of proper and sufficient clothing, to be approved of by the justices and vestry of the parish, where such master, owner, or possessor, of such slave shall reside, under the penalty of five pounds for each slave for whom such clothing shall not be provided, to be recovered in a summary manner before three justices of the peace. (12)

XIII. *And be it further enacted by the authority aforesaid,* That every master, owner, proprietor, or possessor of slaves, his or her overseer or chief manager, at their giving in an account of their slaves and stock to the justices and vestry, on the twenty-eighth day of March in every year, or at the vestry which shall be held next after that day, shall, under the penalty of one hundred pounds for every neglect, give in an account on oath, of the nature and quantity of the clothing actually served to each slave on such plantation, penn, or other settlement, for the approbation of the justices and vestry, as aforesaid; and shall likewise at the same time, declare on oath, that he has inspected, or cause to be inspected, the negro grounds (where such negro grounds are allotted) of such plantation, penn, or settlement, according to the directions of this act, and that every negro on the property is sufficiently provided with grounds, *or where there are no negro grounds, such ample provision as herein before directed.* (13)

XIV. *And be it further enacted by the authority aforesaid* That when the number of slaves belonging to any master, owner, or possessor, shall not exceed forty, and such master, owner, or possessor, shall not comply with the enactments contained in the two foregoing clauses of this act, the justices and vestry of the parish where such master, owner, or possessor of

such slaves reside, shall have power and authority to impose a penalty not exceeding fifty pounds, to be recovered in a summary manner before any two of his Majesty's justices of the peace by distress and sale of the offender's goods and chattels. (14)

XV. *And whereas* by the usage of this island slaves have always been permitted to possess personal property, and it is expedient that such laudable custom should be established by law; *Be it therefore enacted by the authority aforesaid*, That if any owner, possessor, or any other person whatsoever, shall wilfully and unlawfully take away from any slave or slaves, or in any way deprive or cause any slave or slaves to be deprived of any species of personal property by him, her, or them lawfully possessed, such person or persons shall forfeit and pay the sum of ten pounds over and above the value of such property so taken away as aforesaid, the same to be recovered under the hands and seals of any three justices of the peace before whom the complaint shall be laid and the facts proved: *Provided nevertheless*, That nothing in this Act shall be construed or deemed to authorise any trespass or to allow any slave or slaves to turn loose or keep on his owners or other persons property, any horses, mares, mules, asses, cattle, sheep, hogs, or goats, without the consent of his owner, or person in possession of such lands being first had and obtained. (15)

XVI. *Whereas* it is expedient that the owners of slaves or other persons, should have it in their power to reward the fidelity of slaves, or to make them a bequest, as a reward for their services or good conduct: *Be it therefore enacted by the authority aforesaid*, That any pecuniary bequest or legacy of a chattle to a slave, shall be deemed and considered to be a valid and legal bequest or legacy, and the executor or executors, or other representative of the testator, shall be authorized to pay the amount of such legacy, or to deliver such chattle to such slave, *Provided always*, That nothing herein contained shall be deemed to authorize the institution of any action or suit at law, or in equity, for the recovery of such legacy, or to make it necessary to make any slave or slaves a defendant or defendants to a suit in equity. (16)

XVII. *And in order* that further encouragement may be given to the increase and protection of negro infants. *Be it further enacted by the authority aforesaid*, That every female slave who shall have six children living, or who having raised from infancy and during the period of nurture a child or children of deceased mothers, and which shall continue to live with her, as her adopted child or children, shall have of her own and of such so raised and adopted child or children, six children living, shall be exempted from all hard labour in the field or otherwise, and the owner or possessor of every such female slave shall be exempted from all manner of taxes for such female slave, any thing in the Act, commonly called the Poll Tax Law, or any other of the tax laws of this island, passed or annually to be passed, to the contrary notwithstanding, and a deduction shall be made for all such female slaves from the taxes of such owner or possessor, by certificate of the justices and vestry, *Provided nevertheless*, that proof be given on oath, to the satisfaction of the said justices and vestry, not only that the requisite number of children, together with the mother or adopted

New clause.

Personal property of slaves recognised—not to be taken away under penalty of value and £10.

Proviso, not to authorise trespass, or slaves to keep cattle, &c. on persons land without permission.

Slaves may receive bequests.

Proviso not to sue or be sued, &c.

Increase of population by birth of slaves encouraged.

Mothers or adoptive mothers with six children exempt from hard labour.

Owners exempt from taxes of such mothers.

Proviso that proof be given that such mother is exempt from field or hard labour, and

comfortably maintained

Sick and infirm slaves to be maintained by their owner, and not to wander about, under penalty of £20, levied in a summary manner.

Wandering, sick, aged, and infirm slaves, to be maintained in the workhouses at the expense of owner, (but not worked).

Offender to be committed to gaol till he pays penalty and charges.

Diseased or destitute manumitted persons and slaves without owners, to be maintained in workhouses.

mother are living, but also that the mother is exempted from all manner of field or hard labour, and is provided with the means of an easy and comfortable maintenance. (17)

XVIII. *And be it further enacted by the authority aforesaid,* That no master, owner, or possessor, of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee, executor, or otherwise, shall discard or turn away any such slave or slaves, on account or by reason of such slave or slaves, being rendered incapable of labour or service to such master, owner, or possessor, by means of sickness, age, or infirmity; but every such master, owner, or possessor, as aforesaid, shall be, and he is hereby obliged to keep all such slave or slaves upon his, her, or their properties, and to find and provide them with sufficient clothing, wholesome necessaries of life, and not suffer such slave or slaves, as aforesaid, to be in want thereof, or to wander about and become burthensome to others for sustenance, under the penalty of twenty pounds for every such offence, to be recovered in a summary manner before any three Justices of the Peace in this Island, who are hereby authorized, empowered, and required to cause such master, owner, or possessor, his, her, or their Attorney or Agent, and such other persons as they shall judge necessary, to be summoned before them, to enable them to judge and determine of the propriety of such information, and whether such master, owner, or possessor, ought to incur the said penalty, and in the mean time, and until such trial can be had, the said Justices of the Peace, upon their own view, or upon the information of any white or free person, on oath, are hereby empowered and required to take up such wandering, sick, aged, or infirm slave or slaves, and to lodge him, her, or them, in the nearest Workhouse, there to be clothed and fed, but not worked, at the expense of the master, owner, or possessor, until such trial, as aforesaid, can be had, and if it shall appear to the said Justices, on such trial, that the party or parties so complained of, is or are guilty of the said offence, and shall refuse to pay the said sum of twenty pounds, and the fees of such Workhouse, for the maintenance of such slave or slaves, together with the charges of clothing and of the conviction, the said Justices are hereby required and empowered, under the penalty of twenty pounds, forthwith by warrant under their hands and seals, directed to the Constable, to commit such offender or offenders to the common gaol of the county or parish where the offence shall be committed, there to remain until he, she, or they, shall pay the said sum of twenty pounds and charges, as aforesaid, one moiety of which said fine shall be paid to the informer, who is hereby declared to be a good witness, and the other moiety shall be paid into the hands of the Churchwardens of such parish for the poor of the said parish, any law, custom, or usage, to the contrary notwithstanding. (18)

XIX. *And whereas,* from the decease and change of residence of many proprietors of slaves and other circumstances, and from the manumission of negro, mulatto, and other slaves, without any suitable provision being made for their future maintenance, many unhappy objects afflicted with contagious distempers, or disabled from labour by sickness, age, and otherwise, and having no owners, prove dangerous, or become a burthen or nuisance to the several towns and parishes of this island, for remedy whereof, *Be it further enacted by the authority*

aforesaid, that the justices and vestrymen of the several towns

A parochial tax to

and parishes in this island, be empowered to lay a tax upon the several towns and parishes in the same manner as the parochial taxes are usually laid for the purpose of raising such a sum as they shall judge sufficient to provide for the maintenance, clothing, medical care, and attendance in the workhouses or other convenient places of the said several towns and parishes of this island, of such negro, mulatto, or other slaves, or other unhappy objects as aforesaid. And the magistrates respectively of such town and parish, are hereby empowered and required upon application being made to them or either of them, or upon view, to order all such objects as aforesaid, to be removed and conveyed to the respective workhouses of each parish, where (if a slave) the former proprietor or proprietors, owner or owners of such slave, lived or resided; or if a person manumized or made free, of the parish wherein the owner or owners commonly resided, or the property was situated to whom or to which such manumized person belonged immediately previous to the execution of such manumission, or if such manumission be by will, immediately previous to the decease of the testator or testatrix, there to be lodged and taken care of as aforesaid, and the magistrates and vestries of the several towns and parishes as aforesaid, are hereby empowered and required to make from time to time all such humane and salutary regulations, for the purposes aforesaid as to them shall seem necessary and expedient, and the keeper of the workhouse in such parish to which such slave or free person shall be sent by warrant from any other parish, shall be obliged to receive the same under the penalty of twenty pounds. (19)

XX. *And it is hereby enacted and declared*, That every parish in this island to which any manumized person shall be removed in pursuance of this act, or any clause of any former act for this purpose, as to the place of the legal settlement of such person, shall be entitled to claim all the advantages to be derived by law from the security bond directed to be entered into and given, in and by an act passed in the fifteenth year of the reign of his late Majesty King George the third, entitled, "*An act for regulating the manumission of negro, mulatto, and other slaves, and to oblige the owners to make a provision for them during their lives*," by any person or persons manumizing any slave or slaves to the churchwardens of whatsoever parish such bond may have been given, as fully as if the same had been entered into to the churchwardens of the parish to which such manumized person shall become burthensome. (20)

XXI. *And be it further enacted by the authority aforesaid*, That all owners or others, who may manumize such slaves as are old, infirm, or unable to work for their maintenance, are hereby obliged to provide for such maintenance by allowing each and every such slave, at the rate of ten pounds per annum, under the penalty of one hundred pounds, to be recovered in the grand or assize courts, and to be paid over to the churchwardens of the parish where such slave may reside, which parish shall after the recovery of such sum, provide for, and pay the sum of ten pounds annually for the support of such slave. (21)

XXII. *And be it further enacted by the authority aforesaid*, That in case any goods, chattels, or slaves belonging to the owners of such old, infirm, and deserted slaves as aforesaid, who shall have become burthensome to any parish for support

be raised for this purpose.

Settlement of such paupers in respective parishes.

Magistrates and vestries to make necessary humane regulations respecting such persons. Workhouse-keeper to receive such persons under penalty of 20l.

Manumized persons so settled to claim all benefit of manumission-bond, directed by 15 Geo. 3, cap. 18, as fully as if same had been entered into.

New clause.

Owners manumising infirm slaves to allow each 10l. per annum, under penalty of 100l. which sum to be paid to the churchwardens, and then the parish to provide such 10l.

Goods of owners so manumising at any time liable to parochial charge of main-

aining such infirm persons.

Infirm and valueless slaves of insolvents levied on to be sent to the parish of owner, and supported at parochial charge.

Record of proceeding to indemnify provost-marshal.

Council amendment. Proviso, if slave becomes valuable, workhouse-keeper to report to provost-marshal, & supreme court to order sale.

Slaves with yaws, &c. not to wander about, under penalty of 20l.

shall thereafter be found in any part of this island, it shall and may be lawful for the churchwardens of every such parish, to recover the full amount of all expenses to which such parish, shall at any time have been put on account of such deserted slaves before any three justices of the peace of the parish or precinct, wherein such goods, chattels, or slaves shall be found, by distress and sale of the same. (22)

XXIII. *And whereas*, It sometimes happens, that aged, infirm, or disabled slaves belonging to the estates of insolvent debtors, remain in the custody of the provost marshal of this island, or his deputies, without a possibility of the same being sold for the benefit of the creditors of such estates: *Be it enacted by the authority aforesaid*, That upon proof being made on oath by any deputy marshal before any three magistrates of the district, wherein he shall hold his appointment, that any slave or slaves of the above description has or have been in his custody for more than six months thereto preceding, that such slave or slaves have been repeatedly put up to sale by public outcry, that no bidder has offered to purchase the same, and there is no probability of his or her being sold, it may and shall be lawful for the said three magistrates to make an order under their hands and seals for the removal of such slave or slaves to the parish wherein the owner of such slave or slaves resided, at or immediately before the time when he or she took the benefit of the act for the relief of insolvent debtors, now in force or hereafter to be in force, there to be maintained and provided for according to the directions of this act, hereinbefore declared. (23)

XXIV. *And it is hereby enacted* That such order being recorded in the office of the clerk of the peace of the precinct, wherein the goal of such deputy marshal as aforesaid shall be situated, shall be deemed and taken in all the courts of this island as a complete and perfect acquittal of all demands, claims, suits, and actions of every kind; on or against such provost marshal or any of his deputies as may or shall be made, instituted, or preferred by any person or persons whatsoever, on account, or by reason of the removal of any such slave or slaves as aforesaid, out of his or their custody. *Provided always, that if such slave should at any time thereafter recover and become saleable, it shall be the duty of the supervisor of the workhouse in which such slave is confined, to report the same to the provost-marshal-general, and thereupon the supreme court shall order such slave to be sold by the provost-marshal, for the benefit of the insolvent's estate.* (24)

XXV. *And whereas*, negroes afflicted with the yaws, cocobay, or other contagious disease, are sometimes permitted to leave their master's property, and travel about the country, to the great annoyance of the public, and of those in the neighbourhood; *Be it enacted*, that every owner or proprietor of slaves, or his, her, or their overseer, as the case may be, permitting the same, shall forfeit the sum of twenty pounds for every such offence, to be recovered in a summary manner before any three magistrates, one moiety of which to be paid to the informer, and the other moiety to the churchwardens, for the poor of the parish in which the offence shall be committed, and which forfeiture shall be recovered on oath of the informer, or other person complaining, to be levied by warrant of the said magistrates, who on refusal or failure of payment, are hereby authorised to commit the delinquent to the county or nearest goal until paid. (25)

XXVI. *And be it therefore enacted*, that every field slave on any plantation or settlement, shall, on work days, be allowed half an hour for breakfast, and two hours for dinner; and that no slave shall be compelled to any manner of field work upon the plantation, before the hour of five in the morning, or after the hour of seven at night, except during the time of crop, under the penalty of fifty pounds, to be recovered against the overseer or other person having the charge of such slaves. (26)

XXVII. *And be it further enacted by the authority aforesaid*, that for the future, all slaves in this island shall be allowed the usual number of holidays that were allowed at the usual seasons of Christmas, Easter, and Whitsuntide, provided that at every such respective season, no more than three holidays shall be allowed to follow or succeed immediately, one after the other, any law, custom, or usage to the contrary notwithstanding; and if any master, owner, guardian, or attorney, of any plantation or settlement, or the overseer of such plantation or settlement, shall presume at the seasons aforesaid, to allow any holidays to any slave, on any such plantation or settlement, other than is directed by this act to be given, every person so offending shall forfeit the sum of five pounds. (27)

XXVIII. *And in order to encourage slaves to detect runaways, Be it enacted by the authority aforesaid*, That every slave or slaves that shall inform against any person who shall have or conceal any runaway slave or slaves, so that such runaway slave or slaves may be taken and restored to his, her, or their owner or owners, or be committed to any workhouse, every such slave or slaves so informing, shall be entitled to such reward as any justice shall think just and reasonable, and be paid by such person or persons as such justice shall determine ought to pay the same, not less than twenty shillings, nor exceeding forty shillings, to be enforced by a warrant under the hand and seal of such justice. (28)

XXIX. *And be it further enacted by the authority aforesaid*, That if any slave or slaves shall kill, or take any slave or slaves in actual rebellion, he or she shall receive from the churchwardens of the respective parishes, where such slave or slaves shall have been killed, the sum of three pounds, and the sum of five pounds if taken alive, and a blue cloth coat to be paid and furnished by the churchwardens of the respective parishes, where such slave or slaves shall have been killed or taken, the whole expense whereof shall be re-imbursed by the receiver general for the time being, out of any monies in his hands unappropriated. (29)

XXX. *And be it further enacted by the authority aforesaid*, That if any person hereafter shall, with malice aforethought, kill or murder any negro or other slave, such person so offending shall, on conviction, be adjudged guilty of felony, without benefit of clergy, and shall suffer death accordingly for the said offence; *Provided always*, that such conviction shall not extend to the corrupting the blood or the forfeiture of lands or tenements, goods or chattles, any law, custom, or usage to the contrary thereof, in any wise notwithstanding. (30)

XXXI. *And be it further enacted by the authority aforesaid*, That if any person or persons shall at any time after the commencement of this act unlawfully and carnally know and abuse any female slave under the age of ten years, every such unlawful and carnal knowledge shall be felony, and the of-

Slaves to have half an hour for breakfast and two hours for dinner.]

Not to be compelled to field labour till five in the morning or after seven at night, except during crop, under penalty of 50l.

Holidays at Christmas, Easter, & Whitsuntide, to be allowed; but not more than 3 in succession, under penalty of 5l.

Slaves informing against person harbouring runaways to receive reward not less than 20s. nor more than 40s.

Slaves killing or taking slave in rebellion to receive reward of 3l. if killing, and 5l. if taking alive, and a blue coat from churchwardens, who to be re-imbursed by receiver-general.

Murder of slave punished with death.

Not to work corruption of blood or forfeiture.

Carnal knowledge to a female slave under 10 punished with death.

Rape on female slave punished with death.

No corruption of blood or forfeiture to ensue.

Owner, or other person, by whom slaves are maltreated or branded to be punished with fine or imprisonment, or both.

Action of damages may be brought by owner where other person has maltreated the slave.

In atrocious cases of maltreatment by owner, slave to be made free, and to receive 10l. per annum from the parish, to which parish the fine of 100l. on owner is to be paid in such cases.

Slave maltreated to be sent to the workhouse by any justice of the peace, but not worked nor confined with slaves under punishment, till special sessions meet, and such justice to report to custos or senior magistrate, who to

fender thereof being duly convicted, shall suffer as a felon, without benefit of clergy. (31)

XXXII. *And be it further enacted by the authority aforesaid,* That if any person or persons shall at any time after the commencement of this act commit a rape on any female slave, then and in every such case every person being thereof lawfully convicted shall be deemed guilty of felony, and suffer death without benefit of clergy; *Provided always,* that nothing herein contained shall extend to the corrupting the blood or the forfeiture of lands or tenements, goods or chattles, any law, custom, or usage to the contrary thereof in any wise notwithstanding. (32)

XXXIII. *And, in order to prevent any person from mutilating, dismembering, or cruelly beating or confining any slave or slaves, Be it further enacted by the authority aforesaid,* That if any master, mistress, owner, possessor, or other person whatsoever, shall at his, her, or their own will and pleasure, or by his, her, or their direction, or with his, her, or their knowledge, sufferance, privity, or consent, mutilate or dismember any slave or slaves, or wantonly or cruelly whip, maltreat, beat, bruise, wound or imprison, or keep in confinement without sufficient support, or brand any slave or slaves, he, she, or they, shall be liable to be indicted for such offence in the supreme court of judicature, or in any of the assize courts or courts of quarter-sessions of this island, and, upon conviction, shall be punished by fine not exceeding one hundred pounds, or imprisonment not exceeding twelve months, or both, for each and every slave so mutilated or dismembered, punished or confined, and such punishment is declared to be without prejudice to any action that could or might be brought at common law, for recovery of damages, for or on account of the same, in case such slave or slaves shall not be the property of the offender. And, in atrocious cases, where the owner of such slave or slaves shall be convicted of such offence, the court before whom such offender shall have been tried and convicted, are hereby empowered, in case they shall think it necessary, for the future protection of such slave or slaves, to declare him, her, or them free, and discharged from all manner of servitude, to all intents and purposes whatsoever; and in all such cases the court are hereby empowered and authorized, if to them it shall appear necessary to order and direct the said fine of one hundred pounds to be paid to the justices and vestry of the parish, to which the said slave or slaves belonged, to the use of the said parish, the said justices and vestry, in consideration thereof, paying to each of the said slave or slaves so made free, the sum of ten pounds per annum, for his or her maintenance and support, during life; and, in case any slave or slaves shall suffer any before mentioned mutilations or wanton punishment, or confinement, or branding, such slave or slaves, on his, her, or their application to any justice of the peace—the said justice of the peace shall be, and is hereby directed, required and empowered, on view, or its appearing to his satisfaction, that such mutilation or wanton punishment have been really suffered, to send such slave or slaves to the nearest workhouse where such offence shall be committed, and such slave or slaves shall be there safely kept, and carefully attended, but not worked, at the expence of such parish, until such time as the special sessions hereinafter mentioned shall meet, and such slave shall be kept separate

and apart from slaves committed to such workhouse as run-
aways or criminals, in a place appropriated in such workhouse
for that purpose; and the said justice of the peace, to whom
such application shall have been made as aforesaid, is here-
by required, and directed forthwith, to certify the nature
of such application or complaint to the Custos or senior Ma-
gistrate in the parish or precinct wherein such workhouse shall
be situate, whose duty it shall be, and he is hereby directed and
required to convene a special sessions, consisting of not less
than three justices of the peace of such parish or precinct,
which special sessions, when met, is hereby empowered and
required to make further and full enquiry, upon view, and by
the examination of witnesses into the commitment of the mu-
tilation or punishment of such slave or slaves; and if upon such
examination it shall appear to them, that the complaint of
such slave or slaves is frivolous or unfounded, it shall be law-
ful for them, and they are hereby required to dismiss the com-
plaint, and to direct such slave or slaves to be delivered over
to his, her, or their owner or owners, or possessor, or his, her,
or their legal representatives, or to direct such punishment by
confinement to hard labour, or whipping, or both, as to them
may seem proper; but, if upon such examination and enquiry
as aforesaid, it shall appear to the satisfaction of the said jus-
tices, that the complaint is well founded, they are hereby di-
rected to lodge the examinations with the clerk of the crown,
or clerk of the peace, that the parties may be prosecuted ac-
cording to law, and to bind over the said offenders and wit-
nesses in a sum not exceeding fifty pounds, with securities
to appear at the grand or assize courts, or quarter ses-
sions of the parish, and to remand the said slave or slaves
to the workhouse, to be kept until such time as there shall be
a legal meeting of the justices and vestry of such parish, which
meeting the custos or chief magistrate is hereby required to
call as early as conveniently may be, and such justices and
vestry, when met, are hereby appointed a council of protec-
tion of such slave or slaves, and are hereby directed and em-
powered, if they think proper to make further enquiry, into
the commitment of the mutilation or punishment of such slave
or slaves, and if to them it shall appear proper, the said jus-
tices and vestry are hereby empowered and required to pro-
secute to effect such owner or owners, the expence of which
prosecution shall be paid by the parish where such offence
shall be committed, and in case the owner or owners of such
slave or slaves shall appear capable of paying the costs and
charges of such before-mentioned prosecution, the said justices
and vestry are hereby empowered to commence a suit or suits
against such owner or owners of such slave or slaves, and re-
cover all costs and charges out of purse by them laid out and
expended in such suit or suits; and the keeper of the work-
house where such slave or slaves shall have been first com-
mitted is hereby directed and required, upon due notice of the
meeting of the said special sessions, or of the first meeting of the
council of protection of the parish where the offence was com-
mitted, to produce such slave or slaves for the inspection and
direction of such special sessions and council of protection,
under the penalty of one hundred pounds for every neglect in
not producing before such council of protection such slave or
slaves. (33)

(Council amend-
ment.)

(The remaining part
of this clause new.)¹

convene special sessi-
ons of not less than 3
justices, who, if they
find complaint frivo-
lous, to punish com-
plainant, but if com-
plaint be well founded
to take recognizances,
&c. and to remand
slaves to workhouse
till legal meeting of
justices and vestry,
who to be a council of
protection, and if they
see cause to prosecute
offender to effect at ex-
pence of parish, and
empowered to sue ow-
ner for costs.

Council of protection.

Keeper of workhouse-
to produce slaves:
the special sessions of
three justices or to
council of protection,
under penalty.

XXXIV. And be it further enacted by the authority aforesaid, *New clause.*

Penalty on justice or vestryman not attending council of protection. That if after due notice of such meeting being convened, a sufficient number of magistrates and vestrymen do not attend to form a council of protection, the custos or senior magistrate who may preside at such meeting, is hereby empowered and required to inflict a fine not exceeding ten pounds upon any vestryman or magistrate voluntarily absents himself, to be levied by warrant under his hand and seal. (34)

Any justice on view or information of slave being maltreated to send for same, and if fact is so to send slave to workhouse (where he is not to be worked) till enquiry is made.

Slaves not to receive more than ten lashes except in presence of owner or overseer, &c. nor in such presence more than 20, nor until recovered from former whipping, under penalty, &c.

Amendment.

New clause.

Slave not to be sent to workhouse for more than 10 days, or to receive more than 20 lashes therein, without order of justice.

Further punishment of slave under such circumstances prohibited.

XXXV. *And be it further enacted by the authority aforesaid,* That in case any justice of the peace shall receive any complaint or probable intelligence from any slave, or otherwise, that any slave or slaves is or are so mutilated or cruelly punished, or is or are confined without sufficient support, it shall and may be lawful for such justice of the peace, and he is hereby empowered and required forthwith to issue his warrant to any constable, ordering him immediately to proceed to the place where such slave or slaves are confined, and such slave or slaves to release and bring before such justice, who, on view or proof of the fact, is hereby authorized to send such slave or slaves to the workhouse for protection, there to be kept but not worked until enquiry shall be made into the fact according to law. (35)

XXXVI. *And in order to restrain arbitrary punishment, Be it further enacted by the authority aforesaid,* That no slave on any plantation or settlement, or in any of the workhouses or gaols in this island, shall receive more than ten lashes at one time and for one offence, unless the owner, attorney, guardian, executor, or administrator, or overseer, of such plantation or settlement having such slave in his care, or keeper of such workhouse, or keeper of such gaol, shall be present; and that no such owner, attorney, guardian, executor, administrator, or overseer, workhouse-keeper, or gaol-keeper, shall on any account punish a slave with more than thirty-nine lashes at one time and for one offence, nor inflict or suffer to be inflicted such last-mentioned punishment, nor any other number of lashes on the same day, nor until the delinquent has recovered from the effects of any former punishment, under a penalty not less than ten pounds or more than twenty pounds for every offence, to be recovered against the person directing or permitting such punishment, in a summary manner, upon conviction before any three magistrates, by warrant of distress and sale, and in default of payment, the said magistrates are hereby required and empowered to commit such offender to the common gaol for any space of time, not exceeding ten days, besides being subject to be prosecuted by indictment in the supreme or Assize courts or courts of quarter sessions of this island as for an offence against this Act. (36)

XXXVII. *And be it further enacted by the authority aforesaid,* That no person or persons shall after the commencement of this Act commit or send any slave or slaves belonging to him, her, or them, to any workhouse in this island for any offence whatsoever for a longer space of time than ten days, without a commitment or warrant to be signed by a justice of the peace, nor shall give nor direct, or cause to be given to any slave in such workhouse, more than twenty lashes without a warrant from a justice of the peace, under a penalty of five pounds for each and every such offence; and if any person shall further punish, or cause to be punished, any such slave or slaves for the same offence for which he, she, or they had suffered such punishment as aforesaid, (or such punishment as a justice

of the peace shall have directed) either by re-committing such slave or slaves to the same workhouse, or committing or sending him, her, or them, to any other workhouse or otherwise howsoever, such person shall suffer such punishment by fine not exceeding ten pounds; and if any workhouse-keeper shall give or cause to be given any number of lashes contrary to the true intent and meaning of this clause, such workhouse-keeper shall suffer punishment by fine, not exceeding ten pounds, and the several penalties and fines under this clause are to be recovered before any three justices of the peace, who may commit the person so offending to gaol, until such penalties or fines are paid, or may issue their warrant for the levying and sale of the same, by sale of the goods and chattles of the offender. (37)

XXXVIII. *And be it further enacted by the authority aforesaid,* That in case any justice or justices of the peace shall receive any complaint or probable intelligence from any slave or otherwise, that any slave or slaves has or have been improperly punished contrary to the true intent and meaning of this act, it shall and may be lawful to and for such magistrate to associate two other of the magistrates of the said parish with him, and to inquire in a summary manner into such complaint, and if upon inquiry it shall be found that the said complaint is true, it shall be the duty of the said magistrates, and they are hereby required to proceed against the offender according to law; but if it shall appear that such complaint was groundless, the said magistrates shall punish the complainant and the person giving information thereof, in such manner as to them may seem proper. (38)

XXXIX. *And be it further enacted by the authority aforesaid,* That no person shall, on any pretence whatsoever, punish any negro or other slave, whether his own property or otherwise, by fixing or causing to be fixed, an iron or other collar round the neck of such slave, or by loading the body or limbs of such slave for any offence whatsoever, with chains or weights of any kind, other than a light collar without hooks, to indicate that such slave is an incorrigible runaway, or one accustomed to commit depredation on grounds of the other negroes, and which collar shall only be put on by the directions of a magistrate, on complaint being made, under a penalty not less than five pounds, nor exceeding fifty pounds, to be recovered in a summary manner, before any two or more justices of the peace of the parish or precinct where the offence shall be committed; and all and every the justices of the peace within this island are hereby authorised, directed, and required, under the penalty of one hundred pounds, on information and view of such offence, to order such collar, chains, irons, or weights to be immediately taken off from the slave or slaves wearing or bearing the same. (39)

XL. *And be it further enacted,* That no slave (such only excepted as are going with fire-wood, grass, fruit, provisions, or small stock, and other goods, which they may lawfully sell, to market and returning therefrom), shall from and after the commencement of this act, be suffered or permitted to go out of his or her master's or owner's plantation or settlement, or to travel from one town or place to another, unless such slave shall have a ticket from his master, owner, employer, or overseer, expressing particularly the time of such slaves setting out, and where he or she is going, and the time limited for his

Penalty on workhouse-keeper who inflicts a greater number of lashes.

How penalties to be recovered.

Justices to enquire into complaint or probable information, that a slave is improperly punished, and to proceed if true, according to law—if frivolous to punish informant.

No collar, &c. to be fixed on slave, but by order of a magistrate. In all other cases justice to cause such collar, &c. to be removed under penalty of £100.

Slaves, except when going to market, not to go out from owner's plantation, or to travel from one town to another without a ticket specially worded, under penalty on owner, overseer, &c. unless he prove on oath that such slave went away with-

out his consent ; in such case, justice to order punishment.

Penalty on justice neglecting duty.

Ticket not to exceed 1 calendar month.

Slave absent 5 days without a ticket, or found 8 miles from place where belonging to be deemed a runaway, except slaves going to, and returning from, market.

Runaways for above 6 months to be sentenced to hard labour or transportation.

Runaways, for time not exceeding 6 months tried summarily, and punished with whipping or hard labour : if incorrigible, tried as if runaway for above 6 months.

Slaves harbouring runaways, or giving them false tickets, punished as court directs, not

or her return, under a penalty not exceeding forty shillings for every slave so offending, to be recovered from the master, owner, employer, or overseer, in a summary manner before any one justice of the peace by warrant of distress, complaint being made to him upon oath, unless the master, owner, employer, or overseer of such slave shall prove upon oath before any justice of the peace of the parish or precinct where such master, owner, employer, or overseer may or shall live, or happen to be, that he did give the said slave such ticket as aforesaid, or that such slave went away without his consent, in which case the justice to order punishment, and if such justice shall neglect or refuse his duty either in causing the penalty to be forthwith levied on complaint being made to him as aforesaid, on the owner, overseer, or any other person who shall suffer a slave, being under his or their direction, to go without a ticket as aforesaid, every justice so offending shall forfeit the sum of five pounds, any law, custom, or usage to the contrary notwithstanding. (40)

XLI. And be it further enacted by the authority aforesaid, That no ticket shall be granted to any slave or slaves for any time exceeding one calendar month. (41)

XLII. And whereas it is very dangerous to the peace and safety of this island to suffer slaves to continue as runaways, and it is absolutely necessary to declare and make known to the public what slaves shall be deemed such ; *Be it enacted by the authority aforesaid,* That from and after the commencement of this Act, any slave or slaves who shall be absent from his owner or employer without leave for the space of five days, or who shall be found at the distance of eight miles from the house, plantation, or other settlement to which such slave or slaves shall belong, without a ticket or other permit to pass, except as hereinbefore excepted, in going to and returning from market, shall be deemed a runaway. (42)

XLIII. And be it further enacted by the authority aforesaid, That if any slave shall run away from his or her owner or lawful possessor, and continue absent for a term exceeding six months, such slave being convicted thereof shall be sentenced to be confined to hard labour for such time as the court shall determine, or be transported for life, according to the magnitude of the offence. (43)

XLIV. And be it further enacted by the authority aforesaid, That if any slave shall runaway from his or her lawful owner or possessor as aforesaid, and continue absent for any term not exceeding six months, such slave shall be liable to be tried before two justices, and upon conviction thereof shall, for the first offence, suffer such punishment, by flogging or confinement to hard labour, not exceeding three months, as the said two justices shall think proper to direct ; but if the said slave hath frequently runaway, and is by his or her owner or possessor declared to be an incorrigible runaway, he or she shall be tried as if he or she had been runaway from his or her said owner or possessor, and continued absent for a term exceeding six months, and such slave being convicted thereof, shall be sentenced to be confined to hard labour, or be transported for life, as the court shall direct. (44)

XLV. And be it further enacted by the authority aforesaid, That any slave or slaves who shall knowingly harbour or conceal any runaway slave or slaves, or shall furnish a ticket or letter to such runaway slave or slaves, for the purpose of ena-

bling them to evade detection, shall be liable to be tried for the same at the quarter sessions, or special slave court, hereinafter appointed, and on conviction shall suffer such punishment as the court shall think proper to direct, not extending to life. (45)

XLVI. *And be it further enacted by the authority aforesaid,* That if any white person, or person of free condition, shall wilfully and knowingly employ, harbour, or conceal any runaway slave, he, she, or they shall be liable to be indicted in the court of quarter sessions of the parish or precinct where such offence has been committed, and on conviction shall suffer such punishment, by fine not exceeding fifty pounds, or by imprisonment not exceeding three months, as the court shall think proper to inflict, and also the further sum of three shillings and four pence per day for every day such slave or slaves may have been so runaway, to be paid to the owner or possessor of such slave, to be recovered in the same manner and by the same remedy as the fine: *Nevertheless,* That nothing in this clause shall prevent the injured party from prosecuting under the act commonly called the inveigling act, if it shall be deemed proper. (46)

XLVII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any justice of the peace, and he is hereby authorised and required, upon complaint made to him on oath, that any slave or slaves are runaway, or on suspicion, or probable intelligence of the same, and that he, she, or they have absconded themselves from the service of their owners or employers, to grant a warrant to search for and apprehend all such runaway slaves, as also such slaves as the complainant shall have just cause to suspect to be guilty of wilfully entertaining, harbouring, or concealing such runaway slaves; and it shall and may be lawful for any person or persons, so authorized by warrant as aforesaid, to enter any negro house or houses, or other place occupied by any slave or slaves, to search for any slave or slaves, having first given notice to the master, owner, manager, or overseer on the plantation to which such house or houses, or other places as aforesaid belong, or proprietor or occupier of any house; and after such warrant obtained, and notice given as aforesaid, to break open the door or doors of such negro houses or rooms, into which admittance shall be refused: *Provided* such warrant be executed by a lawful constable, or some white or free person, specially sworn as a constable for the purpose. (47)

XLVIII. *And whereas,* the more effectually to conceal runaway slaves, or prevent their being apprehended, tickets are given by ill disposed persons of free condition: *Be it therefore enacted by the authority aforesaid,* That any white person, or person of free condition, granting or giving a letter or ticket to enable any slave to absent himself or herself from his or her owner or possessor, shall be liable to be tried for the said offence before the supreme court of judicature, or in either of the courts of assize, or courts of quarter sessions in this island where the offence shall be committed, and on conviction shall suffer such punishment, by fine or imprisonment, or both, as the court in their discretion shall think proper to inflict, not extending to life. (48)

XLIX. *And be it further enacted by the authority aforesaid,* That any slave or other person or persons whatsoever, who shall apprehend any runaway slave or slaves, shall, for every

extending to life.

New clause.

Free persons harbouring runaways fined and imprisoned, and to pay hire of slave, at 3s. 4d. per day, recovered in quarter sessions.

Proviso, that prosecution may be had under inveigling act.

New clause.

Justices to grant warrant against runaways and harbourers, being slaves.

Persons so authorised, by such warrants, giving notice to owners, may forcibly enter on negro houses to search.

Proviso, that the warrant be executed by a lawful constable or by a white or other special constable

New clause.

Persons giving slaves fictitious tickets, punished by fine or imprisonment, or both.

Persons apprehending runaways to receive reward of 10s. and

mile-money. 1s. for first 5 miles, and 6d. after.

Proviso, that not to be an addition to reward otherwise given maroons.

Proviso, not to deprive maroons of reward of 40s.

Runaways to be conveyed to owner or justice, who to commit to workhouse, and the keeper to pay said reward and mile-money under penalty.

Runaways to be advertised on oath.

Under penalty.

Workhouse-keeper to receive from owner the charges and fees.

Printers accounts authenticated on oath, paid by treasurer of workhouse.

Workhouse - keeper, may detain slaves for charges and fees.

one so apprehended, be entitled to receive, from the owner, employer, overseer, or manager of such slave or slaves, the sum of ten shillings and no more, besides mile-money, at the rate of one shilling *per* mile for the first five miles, and six pence *per* mile for every mile afterwards: *Provided nevertheless*, That nothing in this act contained shall be construed to extend to an allowance of the said sum of ten shillings and mile-money in addition to the sum allowed to maroon negroes for apprehending runaways: *And provided also*, that it is not hereby intended to deprive the said maroons of their legal and established reward of forty shillings for each negro. (49)

L. *And be it further enacted by the authority aforesaid*, That the person or persons so apprehending such runaway slave or slaves shall convey him, her, or them to their respective owner, employer, or manager, or to a justice of the peace, who shall or may commit him, her, or them to the nearest workhouse, and the workhouse-keeper is hereby required and ordered to receive such slave or slaves into custody, and to pay the party delivering such slave or slaves the said sum of ten shillings and mile-money as aforesaid, and no more, for each slave so delivered, under the penalty of five pounds. (50)

LI. *And to the end* that the owners or proprietors of runaway slaves may have a due knowledge where such slaves are confined after their being apprehended and sent to any workhouse in this island, in order that such owners or proprietors may apply for such slaves, *Be it further enacted by the authority aforesaid*, That from and after the commencement of this act all and every the workhouse-keepers in any of the parishes of this island shall, and they are hereby obliged, once in every week, to advertise in the Gazette of Saint Jago de la Vega, the Royal Gazette, and the Cornwall Chronicle, the height, names, marks, and sex, and also the country, where the same can be ascertained, of each and every runaway slave then in custody, together with the time of their being sent into custody, and the name or names of the owner or owners thereof, if known, and that upon oath, under the penalty of ten pounds for every slave so neglected by him to be advertised; and for the expence of such advertisement they, the said workhouse-keepers, shall and may, and they are hereby authorised to charge the owner or proprietor of such runaway slaves so advertised, at and after the rate of three shillings and four pence *per* month for each paper, and no more, which said sum of three shillings and four pence *per* month for each paper to be paid to the printers of the several papers respectively the amount of whose accounts, after being properly authenticated upon oath, shall be paid annually by the treasurers for the time being of the several workhouses in this island; and that it shall and may be lawful for the workhouse-keeper to detain and keep in custody such runaway slave or slaves until the owner or owners thereof, or some person on their behalf, properly authorised, shall pay unto such workhouse-keeper what shall have been paid to the person or persons who apprehended and brought such slave or slaves into custody, with two shillings and six pence in the pound for laying out the money, the cost of advertising at and after the rate abovementioned, and six pence for every twenty-four hours such slave or slaves shall have been in custody for maintenance, and two pence *per* day for medical care and extraordinary nourishment where necessary, the expence of clothing when supplied, and

also the charges of advertising above directed, and no other fees whatever; and that the workhouse-keeper, and no other person, shall attest, upon oath, that the charges in the account for mile-money, and the reward for apprehending such slave, were actually paid to the person who brought such runaway, and that the whole of the charges in the said account are strictly conformable to law: *Provided always, and it is hereby declared*, That the owner or owners of any slave to be committed by the judgment of any court, or by order of the magistrates, to any workhouse by way of punishment, shall not be answerable for, or compelled to pay, the workhouse fees for the time such slave shall be so committed and confined. (51)

LII. *And be it further enacted by the authority aforesaid*, That the keeper of every workhouse or gaol in this island shall, under the penalty of ten pounds, for every neglect, provide and give to every slave confined in such workhouse or gaol a sufficient quantity of good and wholesome provisions daily, that is to say, not less than one quart of unground Guinea or Indian corn, or three pints of the flour or meal of either, or three pints of wheat flour, or eight full grown plantains, or eight pounds of cocoes or yams, and also one herring or shad, or other salted provisions equal thereto, and shall also, under the like penalty, provide and supply every such slave confined as aforesaid with good and sufficient clothing where necessary. 52

LIII. *Provided always, and it is hereby enacted by the authority aforesaid*, That in case any negro or other person sent in and detained in any workhouse as a runaway slave, shall allege himself or herself to be free, it shall be the duty of the custos or senior justice of the parish or precinct wherein such workhouse is situated, to convene, as soon as conveniently may be, a special sessions, consisting of not less than three justices of the peace of such parish or precinct, and of which special sessions, and of the time and place of holding the same, due notice shall be given in the several county newspapers of this island, and which special sessions being so convened, shall carefully and attentively investigate, inquire into, and examine the truth of such allegation, and if it shall appear to such special sessions that such person so detained as a runaway slave is free, such person shall be forthwith discharged, and in case it shall appear to such special sessions that such person is a slave, he or she shall be forthwith remanded to the workhouse, whereto he or she had been sent: *Provided always, and it is hereby declared*, That the decision of such special sessions shall be without prejudice to the prosecution of the right or title of any person to such runaway, or to the prosecution by such person detained as a runaway of his or her right or title to his or her freedom. (53)

LIV. *And it is hereby further enacted by the authority aforesaid*, That no slave or slaves so detained as a runaway slave or slaves shall be sold by any workhouse-keeper until such special sessions has been convened and held, and such investigation, inquiry, and examination had, and without the same being certified by the justices attending such special sessions under their hands and seals, and the sale of any such runaway slave or slaves made without such certificate being obtained shall be, and the same is hereby enacted and declared to be null and void to all intents and purposes, and no right, title, or interest whatsoever shall pass thereunder to any purchaser whomsoever, any thing in this act, or in an act of the lieute-

Workhouse-keeper alone to attest on oath that charges legal.

Proviso, owner of slaves sent to workhouse under any sentence not to pay fees.

Workhouse and gaol keepers to find slaves food, and clothing if necessary, under penalty.

Persons in workhouse alleging themselves to be free, custos or senior justice to convene special sessions of not less than 3 justices, & to give public notice of their meeting.

If person appears free to discharge him, otherwise to remand him.

Proviso, that such decision not to prejudice title of such person to freedom; or of alleged owner.

Slave not to be sold out of workhouses without a certificate of justices at special sessions; otherwise sale void.

32, §. 3, c. 11.]

Workhouse-keeper receiving such replevin, &c. to advertise same, and name, marks, &c. of slave for four weeks, under pain of fine.

Charges to be paid by owner recovering.

Notice of intent to defend action being given, the workhouse-keeper to detain alleged slave.

Unless security be offered, and notice thereof given.

Slaves going off the island or conspiring to do, and slaves abetting others, to be punished as court directs, not extending to life.

Amendment.

governor, council, and assembly of this island, made and passed in the thirty-second year of his late majesty's reign, entitled "*An act for establishing public workhouses in the several parishes of this island,*" or any other act, law, usage, or custom to the contrary in any wise notwithstanding. (54)

LV. *And be it further enacted by the authority aforesaid,* That from and after the commencement of this act, every workhouse-keeper in this island, who shall have any action in replevin, *homine replegiando*, or ejectment, brought against him for any negro or other slave or slaves in his custody, shall, under a penalty for every offence not less than five pounds, nor exceeding fifty pounds, as shall be inflicted by the judges of his Majesty's supreme court of judicature or courts of assize in this island, immediately after he receives such replevin, *homine replegiando*, or ejectment, give notice in the several county newspapers of such action and at whose suit it is brought, and the name or names of such negro or other slave or slaves, together with his, her, or their mark or marks, and the best information he can get concerning the real owner of such slave or slaves, and shall continue such notice for four weeks before the trial shall be had upon such replevin, *homine replegiando*, or ejectment, or such slave or slaves be taken out of the custody of such workhouse-keeper: the costs of which and all other expences incurred, shall be paid to such workhouse-keeper by the person who shall recover such slave or slaves, and if any person or persons shall give notice to such workhouse-keeper of his, her, or their intention to take the defence of any action so brought, such workhouse-keeper shall detain in his custody the slave or slaves, for or by whom such action shall be brought, until the trial of such action or order of the court thereon, under the penalty of one hundred pounds, unless the security offered in cases of *homine replegiando*, shall justify before a judge of the grand court or courts of assize, in such sum as such judge shall think proper, notice of such justification and the time and place thereof, and the judge before whom the same is to be taken, being given to the person intending to take the defence of such action. (55)

LVI. *And whereas* several slaves have found means to runaway from their owners and depart from this island, to the great damage of such owners, in evil example to other slaves, who may be thereby induced to attempt or conspire to do the same: *And whereas* there is reason to suspect that such slaves have been aided and assisted in such escape and departure by other persons, and there is not any adequate punishment provided by law for such running away or departure, or attempting or conspiring to runaway and depart this island, or for persons aiding, assisting, or abetting such runaways, for remedy whereof, *Be it enacted by the authority aforesaid,* That from and after the commencement of this act, if any slave shall runaway from his, her, or their owner or owners, employer or employers, and go off, or conspire or attempt to go off this island, in any ship, boat, canoe, or other vessel, or craft whatever, or be aiding or abetting, or assisting to any other slave or slaves in such going off this island, he, she, or they, so running away and going off, or conspiring or attempting to go off, or so aiding, assisting, or abetting in such going off, being thereof convicted, shall suffer such punishment as the court shall think proper to direct, *not extending to life.* (56)

LVII. *And be it further enacted by the authority aforesaid,*

That if any white person or person of free condition, shall knowingly be aiding, assisting, or abetting, any slave or slaves in going off this island, he, she, or they being convicted thereof by bill, plaint, or information, in the supreme court of judicature, or either of the courts of assize of this island, shall forfeit the sum of three hundred pounds for each slave, one moiety whereof shall be to our Sovereign Lord the King, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to the party or parties at whose suit or complaint such person was convicted, and shall also suffer imprisonment at the discretion of the said court, for any space of time not exceeding twelve months, without bail or mainprise. (57)

LVIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to proceed against the person or persons so aiding, assisting, or abetting any slave or slaves in going off this island, whether the principal or principals be convicted or not, any thing in this or any other act, law, custom, or usage to the contrary thereof notwithstanding. (58)

LIX. *And be it further enacted by the authority aforesaid,* That no negro or other slave shall be allowed to travel the public roads with dogs or cutlasses, or other offensive weapons, without a ticket from his owner, or to hunt any cattle, horses, mares, mules, or asses, in any part of this island, with lances, guns, cutlasses, or other instruments of death, unless in the company of his or their master, overseer, or some other white person, by him or them deputed, or by permission in writing; and if any negro or other slave shall offend, contrary to the true intent and meaning of this act, he, she, or they, being thereof convicted before three justices, shall suffer such punishment as they shall think proper to inflict, not extending to life or transportation for life. (59)

LX. *And be it further enacted by the authority aforesaid,* That if any master, owner, guardian, possessor or attorney, overseer or book-keeper of any plantation or settlement, shall hereafter suffer any strange slaves to assemble together and beat their drums, and blow their horns or shells upon any plantation, pen, or settlement, or in any yard or place, under his, her, or their care or management, or shall not endeavour to disperse or prevent the same, by immediately giving notice thereof to the next magistrate or commissioned officer, that a proper force may be sent to disperse the said slaves, every such master, owner, guardian, possessor or attorney, overseer or book-keeper, shall for every such offence, upon conviction thereof, upon an indictment in the supreme court of judicature, or courts of assize or quarter sessions, of the parish wherein such offence shall be committed, pay a fine of fifty pounds to his Majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof: *Provided nevertheless,* That information of such offence shall be made upon oath, before any of his Majesty's justices of the peace, within the space of fourteen days after the commission of the offence. (60)

LXI. *And be it further enacted by the authority aforesaid,* That all officers, civil and military, shall be and are hereby empowered and required to enter into any plantation, settlement, or other place, to disperse all such unlawful assemblies, and to suppress and prevent all unlawful drummings or other noise, as before-mentioned, any law, custom, or usage, to the con-

Free persons aiding slaves in going off the island, fined £300 and imprisoned at court's discretion, not exceeding twelve months.

Accessory may be convicted before principal.

Slaves not to travel with dogs or weapons, or to hunt with deadly weapons, without permit from owner or white person, deputed by owner: punishment not to extend to life, or transportation for life.

Owners, overseers, &c. to prevent drum beating, &c. by strange slaves, or to give notice to next magistrate or commissioned officer, under penalty of £50.

Proviso, information to be laid in fourteen days.

Officers, civil and military, to suppress such assemblies and drummings, and to enter plantation, &c. for that purpose.

trary notwithstanding, according to the nature, degree, or circumstances of the case. (61)

Owner, overseer, &c. suffering assemblies of slaves, beatings of drums, &c. to be imprisoned.

LXII. *And whereas*, It has been found by experience, that rebellions have often been concerted at negro dances and nightly meetings of slaves; and as it has been found, also, that those meetings tend much to injure the health of negroes: *Be it further enacted by the authority aforesaid*, That if any owner or proprietor, overseer, or in his absence, any book-keeper or other person having the care and management of any plantation or settlement, shall suffer any slaves to assemble together, or beat their drums, or blow their horns or shells, every such owner or proprietor, overseer, book-keeper, or other person so offending, shall for every such offence upon conviction thereof, upon an indictment in the supreme court of judicature or before the justices of assize or court of quarter-sessions, wherein such offence shall be committed, suffer imprisonment without bail or mainprize for any term, not exceeding six calendar months, provided information is made upon oath as aforesaid, before one of his Majesty's justices of the peace within fourteen days after the commission of such offence, but nothing herein contained shall be construed to prevent any master, owner, or proprietor of any plantation or settlement, or the overseer thereof from granting liberty to the slaves of such plantation or settlement only, for assembling together upon such plantation or settlement, and playing and diverting themselves in any innocent amusements so as they do not make use of military drums, horns, or shells, but that they shall and may grant such liberty, when and as often as they please, any thing in this or any other act to the contrary notwithstanding: *Provided*, That such amusements are put an end to by *twelve* of the clock at night. (62)

Information to be laid in 14 days.

Owner, &c. may allow slaves of plantation only, to divert themselves, but not to use warlike instruments

Proviso, that such amusement to end by 12 at night.

LXIII. *And in order* to prevent riots and nightly meetings among negro and other slaves, to the disturbance of the public peace and endangering their healths: *Be it further enacted by the authority aforesaid*, That all negro burials shall in future take place in the day time, so that the same may be ended before sunset, and if any master, owner, or possessor of slaves, his or her overseer or chief manager, shall knowingly suffer or permit the burial of any slave otherwise than as before directed, he shall forfeit the sum of fifty pounds, and if any burials shall take place in any of the towns of this island or in savannas, commons, or other places, not in charge of an overseer after sunset, every person of free condition in whose house, yard, or premises, any slaves shall be permitted to assemble for attending such burial, shall forfeit a sum not less than five pounds, nor exceeding fifty pounds, and the negro or other slaves who shall meet for the purpose of attending such burial, or be found thereat, shall upon conviction before three or more magistrates, suffer such punishment as the said magistrates shall direct, not exceeding thirty nine lashes. (63)

Negro burials to be ended before sun-set, under penalty, on owner, overseer, &c.

If burial in towns or savannas, &c. free persons in whose house is the assembly, to be fined, and slaves whipped.

Free persons suffering unlawful assembly, fined and imprisoned.

LXIV. *And be it further enacted by the authority aforesaid*, That if any white or free person shall hereafter suffer any unlawful assembly of slaves at his or her house or settlement, every such free person shall upon due conviction thereof before any court of quarter sessions, suffer punishment by fine not exceeding one hundred pounds, or imprisonment not exceeding six months: *Provided nevertheless*, That information thereof shall be given on oath within fourteen days of such unlawful meeting. (64)

Information to be laid in 14 days.

LXV. *And be it further enacted by the authority aforesaid,* That if any white or free person or persons, or any slave or slaves shall knowingly suffer any person to game with any slave or slaves, in any house or out-house in his charge, or shall be found gaming with any slave or slaves, such person or persons shall, and may be apprehended and taken before any three justices of the peace in the parish in which such person or persons shall be apprehended, who are hereby authorized and empowered to inflict on such person or persons, if a slave or slaves, such corporal punishment by whipping not exceeding thirty nine lashes, as such justices shall upon conviction thereof think proper to order and direct, and if a white or free person, shall and may commit such white or free person to the nearest common gaol for any period of time not exceeding six days. (65)

LXVI. *And whereas* it may happen, that slaves directed to be manumized by will may find it difficult to establish their freedom by reason of the person or persons acting under such will, refusing to enter into the security required by law on the manumission of slaves: *Be it enacted by the authority aforesaid,* That from and after the commencement of this act, whenever any person shall by will in writing expressly manumize or direct to be manumized any slave or slaves belonging to him or her, the usual bond required by law in cases of manumission shall not be necessary, but the estate of the person so manumizing any slave or slaves or directing any slave or slaves to be manumized, shall be and the same is hereby declared to be liable to the payment of the annual sum required by law to be paid to any slave manumized, and the freedom of such slave so manumized or directed to be manumized by will shall be at once established: *Provided always,* That nothing in this act contained shall extend or be construed to extend to exempt such slaves so manumized, from any debt or demand against the estate of the testator, to which such slave or slaves should be otherwise liable. *And provided always, and it is hereby enacted,* That any will in writing which by law would be deemed valid and sufficient for disposing of goods and chattels, or other personal estate, shall be, and the same is hereby declared to be valid, and sufficient for manumizing or directing to be manumized any slave or slaves, any thing in a certain statute, made and passed in the twenty ninth year of the reign of his Majesty King Charles the second, commonly called the statute of frauds and perjuries, or in a certain act of the governor, council, and assembly of this island, made and passed in the sixteenth year of his late Majesty's reign, entitled "*An act to regulate the devises of negro, mulatto, and other slaves in wills,*" or any act, law, usage, or custom to the contrary, in anywise notwithstanding. (66)

LXVII. *Whereas* it sometimes happens that persons in possession of slaves, by reason of their having only an interest for life, or other limited freehold estate in such slaves, or by limitations, trusts, or other legal impediments, are prevented from giving an effectual manumission to such slaves, although desirous so to do, and it is proper that owners should possess, in all cases, the power of rewarding fidelity and good conduct in their slaves by manumission, where the same can be effected without prejudice to the rights of other persons, *Be it therefore enacted by the authority aforesaid,* That any person or

New clause.

Free persons or slave suffering gaming with slaves in their house, to be carried before justice.

Slaves to be whipped, and free persons sent to gaol.

Manumission bond dispensed with in devises of freedom; but estate of testator liable for annuity to emancipated.

Freedom by will at once established.

Proviso, not to exempt liability to testator's debts.

Slaves may be manumised under will, so executed as to pass personalities.

16th G. 3, c. 14, p. 9.

How persons possessing limited freehold interests in slaves may manumise them.

To apply to custos or senior magistrate, and if interested to other magistrate, by statement on oath of limitations, &c.

Two other justices to be associated.

Council amendment.

3 valuers appointed.

Council amendment.
Proviso, how feme-coverts, are to give consent.

If absentee, her appearance dispensed with.
Proviso, that intention of such manumission be advertised.

Receiver-general to receive valuation, paying 6 per cent. so long as in his possession.

persons having legal or equitable estate for life, or for other freehold interest in, and being in the actual possession of any slave, and who shall be desirous or consenting that such slave shall be made free, shall be entitled to make an application to the custos or senior magistrate of the parish where such slave shall reside, and in case such custos or senior magistrate shall be related to the party applying, or interested in the matter, then to some other magistrate, and shall deliver a written statement, verified upon the oath of the applicant or applicants, or, in case of absence, of his, her, or their attorney, duly constituted, which oath the said custos or senior or other magistrate, is hereby authorised to administer, stating the nature and extent of the interest of such person or persons, and the different rights, claims, and limitations to which such slave is subject, and the impediments which prevent such slave being manumitted in the ordinary manner, and such custos or senior or other magistrate shall associate to himself two other magistrates disinterested in the matter, and shall inquire into the merits of the application, and if such application shall appear to the said magistrates, or any two of them, to be well founded, three indifferent persons shall be appointed as valuers, one of whom to be named by the party or parties applying, and another by the person or persons entitled in remainder or otherwise interested, or, if a minor, by his or her guardian, and appearing personally, or by his, her, or their attorney or attorneys lawfully constituted, before the said magistrates, and the third to be nominated by the said magistrates, and in case no other person or persons shall appear before the said magistrates, having an interest in the said slave, then two of the said valuers shall be appointed by the said magistrates, and such three persons shall inquire into the value of the slave so intended to be manumitted, and shall make their report in writing, under their signatures, to the said three magistrates.—*Provided always, that if the person having such vested estate or interest as aforesaid, or such estate in remainder, shall be covert; the consent of such femme-covert to such manumission, and her authority to any person or persons to appoint a valuator given in the same manner as by the laws of this island is required in the execution of deeds of feme-covert, and recorded in the office of secretary of this island, shall be sufficient to authorise the magistrate to give such authority and order as hereinafter mentioned, and when such femme-covert is absent from this island, to dispense with her appearance before them.* *Provided that before such custos or senior or other magistrate shall entertain such application, it shall be made to appear to him that notice has been given in the three county newspapers for three weeks successively of the intention to make such application, stating the name or names of the person or persons applying, the name or names of the slave, the place or places where such slave has been resident for the last twelve months, and the time when such application is intended to be made.* (68)

LXIX. *And be it further enacted by the authority aforesaid, That when such valuation shall be reported and approved of, the said custos or senior or other magistrate and his associates, shall, and they are hereby required to give an authority to the receiver-general to receive the amount of the valuation, and to place the sum, when paid, to the credit of the person or persons interested in the said slave, and the said amount shall bear an interest of six per cent. payable out of the public*

funds, so long as the same shall remain in the hands of the receiver-general. (68)

LXIX. *And it is hereby further enacted by the authority aforesaid,* That the receiver-general shall give to the party or parties, paying in the amount of the valuation, a certificate under his hand, that the same has been paid to him, and upon the production of such certificate of the receiver-general to the said custos, or senior or other magistrate and his associates, they are hereby authorized and required again to meet and give an order for the manumission of the said slave in manner following:—

“Whereas A B, of _____, did on the _____ day of _____ last past, appear before us, and did make a statement upon oath, that he was tenant for life, (or as the case may be) and in the actual possession of a certain slave named _____, and that he was desirous that the said slave should be made free, but that he was prevented from so doing by reason of legal impediments: *And whereas* the said slave, named _____ hath been valued by three indifferent persons, at the sum of _____ pounds, and a certificate of the receiver-general hath been produced to us, that the amount of such valuation hath been paid into his office. We do therefore in pursuance of an act of the governor, council, and assembly, declare the said slave to be free. In witness whereof, we have hereunto set our hands and seals, this _____ day of _____. (69)

LXX. *And it is hereby enacted by the authority aforesaid,* That the said order of manumission, together with the valuation and the receiver-general's certificate annexed thereto, shall be entered in the office of the secretary of this island, and recorded in a separate book for manumissions, and shall not be delivered out except under an order of the court of chancery or supreme court, but shall be kept in the said office as original documents, and a certified copy of the same shall be received as evidence in all courts, and be of the same force as the originals. (70)

LXXI. *And be it further enacted by the authority aforesaid,* That the amount of the valuation or the interest thereof shall be paid by the receiver-general, under an order of the court of chancery or of the supreme court, to be made upon the application of the person or persons interested in the money, and such money shall be considered as of the same nature, whether real or personal estate, as the slave would have been, if proceedings under this act had not taken place, and the said money shall be liable to the same descent, limitations, trusts, debts, and incumbrances, as the slave was subject to, and it shall be in the power of the said courts or either of them, to direct the principal or the interest thereof to be paid by the receiver-general, according to the rights of the different owners or their creditors. (71)

LXXII. *And be it further enacted by the authority aforesaid,* That in case any slave manumitted in pursuance of this act, should have belonged at the time of his or her manumission to a tenant for life, or a tenant for life shall have become entitled to the interest of the money, and such slave after being so manumitted, if a male, shall die in the life time of the tenant for life or being a female slave shall die in the life time of the tenant for life, without leaving her surviving, any child or

Receiver-general to give certificate, that valuation has been paid him, and magistrate to give order for manumission.

Form of manumission.

Order of manumission, valuation, and certificate, of receiver-general to be recorded: not delivered out but on order of court. Attested copy evidence.

Valuation paid receiver-general, applicable to order of court of chancery or supreme court.

Subject to the same incumbrances, and of the same nature as slave.

Court may order interest or principal to be paid, according to interests of parties.

Slaves so manumitted by tenant for life, dying before tenant for life, and if a female leaving no issue surviving tenant for life, whole valuation shall be deemed property of tenant for life.

Not to prejudice claims against person limiting slave in settlement, or of creditors of tenant for life.

New clause by council.

Valuation of slaves so manumitted may be invested in the purchase of other slaves, subject to same limitations: and so if slave sought to be manumitted in the hands of a receiver in chancery, subject as was slave.

Manumission bond dispensed with—on satisfying magistrates and vestry that slave is not aged or infirm.

Certificate to such effect to be given by clerk of vestry and recorded with manumission.

Slaves carried about for sale forfeited and sold for poor of parish and informer.

children born after the date of the manumission, or such child or children shall after her death, die in the life time of the tenant for life, then and in every such case, the person or persons in remainder shall not be considered to be entitled to the principal or interest of the said money, but the same shall be deemed the property of the tenant for life, as against all persons to take in succession without prejudice to the creditors of the person who limited the said slave in settlement, or the creditors of the tenant for life. (72)

LXXIII. *And whereas* it may sometimes happen that the persons desirous of effecting such manumission as aforesaid, may wish to invest the consideration of such manumission in the purchase of other slaves instead of placing the same in the hands of the receiver general, or may be prevented from carrying their intentions into effect without incurring considerable expence by reason of the estate to which the slave or slaves so intended to be manumitted may belong, being in the hands of a receiver appointed by the Court of Chancery; *Be it enacted by the authority aforesaid*, That in all such cases it shall and may be lawful for the person or persons so desirous of effecting such manumission as aforesaid, under and subject to the same regulations as are hereinbefore prescribed relative to persons having only a limited interest, to invest the consideration which he, she, or they shall have received in the purchase of other slave or slaves, to be held by him, her, or them, subject to the same descent, limitations, trusts, orders, debts, and incumbrances to which the slave or slaves so manumitted shall have been subject. (73)

LXXIV. *And whereas* it is now required by law in all cases of manumission by deed, that a bond should be given to the church wardens of the parish for payment of an annuity of five pounds for the maintenance of any slave intended to be manumitted, and such bond is in many cases unnecessary; *Be it further enacted by the authority aforesaid*, That it shall not be necessary to give such bond to the churchwardens, provided that in lieu thereof the slave intended to be manumitted shall be produced to the magistrates and vestry of the parish where such slave shall reside, or it shall be otherwise shewn to their satisfaction that the manumission is not given for the purpose of relieving the owner from the obligation of maintaining an aged or infirm slave, a certificate whereof shall be given by the clerk of the vestry, and shall be annexed to and entered in the secretary's office with the deed of manumission. (74)

LXXV. *And whereas* it is expedient to prevent slaves from being purchased by persons for the purposes of re-sale, and to prevent such re-sales; *Be it enacted*, That from and after the commencement of this Act, if any person or persons shall be found travelling about from place to place exposing or offering for sale any negro, mulatto, or other slave or slaves, it shall and may be lawful for any person whomsoever to seize and detain any such person or persons, and the slave and slaves under his or their charge, and to carry such person or persons and slave or slaves before any one of his Majesty's justices of the peace of the parish where such offence shall be committed, which said justice is hereby authorised and required to call to his assistance two other justices of the said parish, and which three justices being so associated shall on due proof on oath that the party or parties brought before them had been found exposing or offering a slave or slaves to sale contrary to

the true intent and meaning of this Act, cause the said slave or slaves so offered for sale to be publicly sold by warrant under the hands and seals of the said three justices; one moiety of the monies arising from the sale thereof, after deducting the expenses of the said sale, to be paid into the hands of the churchwardens of the said parish where the offence shall be committed, for the use of the poor of the said parish; and the other moiety to the use of the person or persons who shall bring the offender or offenders before the said justices. (75)

LXXVI. *And it is hereby enacted and declared*, That the oath of the person or persons bringing such offender or offenders before the said justices, shall be received and taken and shall be considered good evidence against such offender or offenders. (76)

LXXVII. *And be it further enacted by the authority aforesaid*, That if any sale or sales of slaves shall be so made as aforesaid, the same shall be and are hereby declared to be null and void, and that no title shall accrue to the purchaser or purchasers thereof, and any slave or slaves so sold shall become forfeited; and any justice of the peace on receiving information on oath of any such sale or sales shall issue his warrant to take up such slave or slaves; and if it shall appear to his satisfaction that such slave or slaves has or have been so sold, he shall declare the same to be forfeited, and proceed to sell the said slave or slaves and apply the money arising from such sale in manner hereinbefore mentioned. (77)

LXXVIII. *And it is hereby enacted by the authority aforesaid*, That no writ of certiorari or other process, shall issue or be issuable to remove any proceedings whatsoever had in pursuance of this Act, into the supreme court of judicature or any other of the courts of this island. (78)

LXXIX. *And whereas* it is absolutely necessary that the slaves in this island should be kept in due obedience to their owners, and in due subordination to the white people in general, and as much as in the power of the legislature, all means and opportunities of slaves being concerned in rebellious conspiracies, and committing other crimes to the ruin and destruction of the white people and others in this island, prevented, and that proper punishments should be appointed for all crimes to be by them committed: *Be it therefore enacted by the authority aforesaid*, That if any slave or slaves, shall, after the commencement of this act, enter into or be concerned in any rebellion or rebellious conspiracy, or commit any murder, felony, burglary, robbery, or set fire to any houses, out houses, negro houses, cane pieces, grass or corn pieces, or break into such houses, out houses, or negro houses in the day time, no person being therein, and stealing thereout, or commit any other crime which would subject white persons or persons of free condition to be indicted for felony, such slave or slaves shall for every such offence or offences, upon trial and conviction thereof, in manner hereinafter mentioned, suffer death, transportation, or such other punishment as the court shall think proper to direct, according to the nature and extent of the offence. (79)

LXXX. *And be it further enacted by the authority aforesaid*, That if any slave shall assault or offer any violence by striking or otherwise, to or towards any white person or person of free condition, such slave upon due and proper proof, shall upon conviction be punished with death, transportation,

Oath of informer good against offender under last clause.

Sales contrary to two last clauses void.

Justice on information to issue warrant to take up such slave and to sell and appropriate as in 76th clause.

Certiorari not to issue on any proceedings of this Act.

Slaves guilty of rebellion, murder, and other felonies, to be tried as after-mentioned, and to suffer death or other punishment at discretion of court.

Slaves assaulting free persons, punished at discretion of court.

Provided, that assault not by command of owner, &c. or in defence of owners, persons, or goods.

Slaves having fire arms, &c. in their possession, without knowledge of owner, &c. to be taken before three magistrates, and if with evil intent, to be tried and punished at discretion of court, not extending to life.

Obeah, with intent to excite rebellion, or endangering life or health of a slave, punishment at discretion of court.

Slaves preaching without permit from owners and quarter-sessions, to be whipped or set to hard labour.

Sectarian minister or other teacher, not to keep open place of meeting after sun set, under penalty, not less than £20, nor more than £50, recovered before three justices, one half to the informer, and the other to poor of parish.
New clause.

or confinement to hard labour for life or a limited time, or such other punishment according to the nature of the offence, as the court shall in their discretion think proper to inflict, provided such assault or violence be not by command of his, her, or their owners, overseers, or persons entrusted with them, or in the lawful defence of their owner's, persons, or goods. (80)

LXXXI. *And be it further enacted by the authority aforesaid,* That if any slave or slaves shall hereafter be found to have in his, her, or their custody or possession, any fire arms, pikes, sabres, swords, cutlasses, lances, gunpowder, slugs or ball, without the knowledge or consent of his, her, or their owner, proprietor or possessor, or his, her, or their overseer, such slave or slaves shall be taken before three magistrates, who shall if they are of opinion that the same was with evil intent, commit such slave or slaves to the gaol, to be tried at the court of quarter sessions or special slave court, as hereinafter directed, and upon conviction, the said slave or slaves shall suffer transportation, or such other punishment as the court shall think proper to direct, not extending to life. (81)

LXXXII. *And in order to prevent the many mischiefs that may hereafter arise from the wicked art of negroes going under the appellation of obeah men and women, and pretending to have communication with the devil and other evil spirits, whereby the weak and superstitious are deluded into a belief of their having full power to exempt them whilst under their protection from many evils that might otherwise happen: Be it further enacted by the authority aforesaid,* That from and after the commencement of this act, any slave who shall pretend to any supernatural power, in order to excite rebellion or other evil purposes, or shall use or pretend to use any such practices with intent, or so as to effect or endanger the life or health of any other slave, shall upon conviction thereof, suffer death or transportation, or any such punishment as the court may direct, any thing in this or any other act to the contrary, in anywise notwithstanding. (82)

LXXXIII. *And whereas* it has been found that the practice of ignorant, superstitious, or designing slaves, of attempting to instruct others, has been attended with the most pernicious consequences, and even with the loss of life: *Be it enacted,* That any slave or slaves, found guilty of preaching and teaching as anabaptists or otherwise, without a permission from their owner and the quarter-sessions for the parish in which such preaching or teaching takes place, shall be punished in such manner as any three magistrates may deem proper, by whipping, or imprisonment in the workhouse to hard labour. (83)

LXXXIV. *And whereas* the assembling of slaves and other persons after dark, at places of meeting belonging to dissenters from the established religion, and other persons professing to be teachers of religion, has been found extremely dangerous, and great facilities are thereby given to the formation of plots and conspiracies, and the health of the slaves and other persons has been injured in travelling to and from such places of meeting at late hours in the night: *Be it further enacted by the authority aforesaid,* That from and after the commencement of this act, all such meetings between sun set and sun rise shall be held and deemed unlawful, and any sectarian, dissenting minister, or other person professing to be a teacher of religion, who shall contrary to this act, keep open any such place of meeting, between sun set and sun rise, for the purpose

aforesaid, or permit or suffer any such nightly assembly of slaves therein, or be present thereat, shall forfeit and pay a sum not less than twenty pounds, or exceeding fifty pounds for each offence, to be recovered in a summary manner before any three justices by warrant of distress and sale, one moiety thereof to be paid to the informer, who is hereby declared a competent witness, and the other moiety to the poor of the parish in which such offence shall be committed, and in default of payment thereof, the said justices are hereby empowered and required to commit such offender or offenders to the common gaol, for any space of time not exceeding one calendar month: *Provided always*, That nothing herein contained shall be deemed or taken to prevent any minister of the presbyterian kirk or licensed minister, from performing divine worship at any time before the hour of eight o'clock in the evening, at any licensed place of worship, or to interfere with the celebration of divine worship, according to the rites and ceremonies of the jewish and roman catholic religions. (84)

LXXXV. *And whereas* under pretence of offerings and contributions large sums of money and other chattels have been extorted by designing men professing to be teachers of religion, practising on the ignorance and superstition of the negroes in this island, to their great loss and impoverishment. *And whereas* an ample provision is already made by the public and by private persons for the religious instruction of the slaves: *Be it enacted by the authority aforesaid*, That from and after the commencement of this Act, it shall not be lawful for any dissenting minister, religious teacher, or other person whatsoever, to demand or receive any money or other chattel whatsoever from any slave or slaves within this island, for affording such slave or slaves religious instruction, by way of offering, contributions, or under any other pretence whatsoever; and if any person or persons shall, contrary to the true intent and meaning of this Act offend herein, such person or persons shall, upon conviction before any three justices, forfeit and pay the sum of twenty pounds for each offence, to be recovered in a summary manner by warrant of distress and sale, under the hands and seals of the said justices, one moiety thereof to be paid to the informer, who is hereby declared a competent witness, and the other moiety to the poor of the parish in which such offence shall be committed; and in default of payment the said justices are hereby empowered and required to commit such offender or offenders to the common jail for any space of time not exceeding one calendar month. (85).

LXXXVI. *And whereas* a practice of nightly and other private meetings has frequently taken place amongst the slaves in several parts of this island, and which have been unknown to the owner, attorney, or other person having charge of the slaves of the property, and as such meetings are injurious to the health of the slaves and of dangerous tendency, *Be it therefore enacted by the authority aforesaid*, That in future all such meetings shall be deemed unlawful, and the persons who shall or may attend them shall be liable to be apprehended and taken before any magistrate of the parish wherein the offence shall be committed; and if any white person or person of free condition attend such meeting, and it appears to the said magistrate on the oath of the person accusing the party, or on the oath of any other person, that he or she is guilty, he or she shall be committed to the jail, to be tried at the next quarter sessions of the parish for the said offence, and if convicted thereof he or she shall be sentenced to imprisonment in the county jail for such period of time as the justices before whom he or she shall be convicted, think proper to direct, not exceeding three months; and if the offender be a slave, he or she shall be tried at the quarter sessions or special slave court, and if convicted thereof he or she shall be sentenced by the said court to hard labour for such time as the court shall think proper to direct, or to receive such other punishment by whipping not exceeding thirty-nine lashes at one time, as the court shall order and direct. (86)

In default of payment, to commit for one month.

Proviso, excepting kirk or licensed minister, at licensed place, before 8 P. M. and the rites of jews and roman catholics.

New clause.

Religious teachers taking money from slaves to pay penalty of £20, on summary conviction before 3 justices: one moiety to informer, the other to poor of parish.

Informer a competent witness.

In default of payment offender to be committed to gaol for one month.

Nightly and private meetings had amongst slaves unlawful: persons attending same may be taken before justice; committed for trial and punished if free by imprisonment, and if a slave by hard labour or whipping.

Slaves maliciously preparing poison, and all slave accessories punished at discretion of court.

Slaves having poison or tools of obeah to be punished at discretion of court, not extending to life.

Slaves assembling to take unlawful oaths, or to use arms, &c. punished at discretion of court.

Free persons present and aiding and abetting at assemblies mentioned in last clause, punished at discretion of court.

Person not giving information of last aforesaid assemblies, punished by fine, imprisonment, or whipping, at discretion of court.

Slave stealing horses, &c. or killing horses with intent to steal carcasses, punished at discretion of court.

Slave having in possession flesh of horse, &c. unaccounted for, punished, if not exceeding 20lbs, by whipping; if exceeding 20lbs at discretion of court, not extending to life or imprisonment for life.

LXXXVII. And be it further enacted by the authority aforesaid, That if any negro or other slave or slaves shall mix or prepare with an intent to give or cause to be given any poison or poisonous, or noxious drug, pounded glass, or other deleterious matter in the practice of obeah or otherwise, although death may not ensue on the taking thereof, the said slave or slaves, together with their accessories as well before as after the fact (being slaves) being duly convicted thereof, shall suffer death or such other punishment as the court shall award, any thing in this or any other act to the contrary in anywise notwithstanding. (87)

LXXXVIII. And be it further enacted, That if there shall be found in the possession of any slave any poisonous drugs, pounded glass, or any materials used in the practice of obeah or witchcraft, such slave upon conviction, shall be liable to suffer transportation from this island, or such other punishment not extending to life, as the court shall think proper to direct. (88)

LXXXIX. And whereas it is necessary to prevent secret and unlawful meetings of slaves; **Be it therefore enacted by the authority aforesaid,** That all and every slave or slaves who shall be found at any meeting formed either for the purpose of administering unlawful oaths by drinking human blood mixed with rum, grave-dirt, or otherwise, or of learning the use of arms, or for any other unlawful or dangerous purpose, such slave or slaves shall on conviction thereof suffer death or transportation for life, or such other punishment as the court shall direct. (89)

XC. And be it further enacted by the authority aforesaid, That if any white person or person of free condition shall be present at any such meeting, and aiding and assisting in any of the unlawful purposes before mentioned, such person or persons shall upon conviction thereof in the supreme court or either of the courts of assize of this island, be punished by death, transportation off this island for life, or fine, or imprisonment, or both, at the discretion of the court before whom such person or persons shall be tried. (90)

XCI. And be it further enacted by the authority aforesaid, That if any person or persons having knowledge of such unlawful meetings as aforesaid, shall not forthwith give information thereof to a justice of the peace, such person or persons shall on conviction before the supreme or either of the courts of assize or courts of quarter sessions of this island, suffer such punishment by fine or imprisonment or both, or by public whipping, as the court before which such person or persons shall have been so convicted, shall direct. (91)

XCII. And be it further enacted by the authority aforesaid, That if any negro or other slave shall after the commencement of this Act steal any horned cattle, sheep, goat, hog, horse, mare, mule, or ass, or shall kill any such horned cattle, sheep, goat, hog, horse, mare, mule, or ass, with intent to steal the whole carcass of any such horned cattle, sheep, goat, hog, horse, mare, mule, or ass, or any part of the flesh thereof, such negro or other slave shall on conviction thereof suffer death, transportation, or such other punishment as the court shall in its discretion inflict. (92)

XCIII. And whereas great numbers of horned cattle, sheep, goats, hogs, horses, mares, mules, and asses are frequently stolen and killed by negro and other slaves in so secret and private a manner that it is with the greatest difficulty they can be found out and discovered in such manner as to convict them of such offence, although large quantities of beef, mutton, and the flesh of other valuable animals are found upon him, her, or them; in order, therefore, to prevent such evils in future, and to punish the perpetrators of such acts agreeable to their crimes, **Be it enacted by the authority aforesaid,** That if any negro or other slave shall fraudulently have in his, her, or their custody or possession, unknown to his or her master, owner, overseer, or other persons who shall have the overlooking or employing of such slave, any fresh beef, veal, mutton, pork, or goat, or the flesh of horse, mare, mule, or ass, in any quantity not exceeding twenty pounds weight, without giving a satisfactory account in what manner he or she became possessed thereof, such negro or other slave upon conviction

thereof before any magistrate, shall be whipped in such manner as such magistrate shall direct, not exceeding thirty-nine lashes; and if there shall be found in his, her, or their custody or possession a larger or greater quantity than twenty pounds weight of fresh beef, veal, mutton, pork, or goat, or the flesh of horse, mare, mule, or ass, and such slave shall not give a satisfactory account how he or she became possessed of such meat, then such negro or other slave upon conviction thereof shall suffer such punishment as any three justices shall think proper to inflict or direct, not extending to life or imprisonment for life. (93)

XCIV. And be it enacted by the authority aforesaid, That if any negro or other slave shall wantonly and cruelly cut, chop, shoot at, or otherwise maim and injure any horned cattle, horse, gelding, mare, mule, or ass, such negro or other slave shall, for every such offence be tried in a summary manner, before three or more justices of the peace of the parish or precinct where the offence shall be committed, and the said justices of the peace shall, on conviction of such slave or slaves, order and direct such punishment to be inflicted as they shall think proper, not exceeding fifty lashes, to be inflicted at one or more different times, or two months hard labour in the workhouse; and in all cases where, from such treatment as above set forth, any horned cattle, horse, gelding, mare, mule, or ass, shall be killed, or shall die within ten days after the offence committed, although the carcass, or any part of the flesh thereof, may not be stolen, such negro or other slave shall be tried at the court of quarter sessions or special slave court, and, on conviction thereof, suffer death, transportation, or confinement to hard labour for life, or such other punishment as the court shall think proper. (94)

XCIV. Be it further enacted by the authority aforesaid, That if any slave or slaves shall, by wantonly and cruelly cutting, chopping, striking, or by any other manner or way whatsoever, mutilate, disfigure, dismember, or injure any slave or slaves, so as to endanger life, although death shall not ensue, or that such slave or slaves shall become a cripple, or lose any of his or her limbs, or be deprived of the use thereof, all and every or any such slave or slaves so offending shall for every or any such offence, be tried at the court of quarter sessions or special slave court, and upon conviction shall suffer death, transportation for life, or such other punishment as the Court shall direct. (95)

XCVI. And whereas, the practice of negroes to clear their grounds by fire is highly dangerous to the neighbouring properties, and frequent instances of alarm and injury occur for want of some restraint in that respect: For prevention of so great an evil, *Be it further enacted,* That if any injury shall arise to the owner, proprietor, or possessor of one property by a slave or slaves on the adjoining property clearing ground by fire, the slave or slaves who shall so clear ground by fire, by which injury shall result to the adjoining property, shall be proceeded against, tried, and punished if found guilty, as and for a misdemeanor; and if the overseer or other person then actually having charge of the property on which such fire shall originate shall have knowledge that any negro under his charge has made any such fire for clearing his or her ground, and shall not forthwith use his best endeavours to cause the same to be extinguished, and such fire shall cause injury to the neighbouring property, such overseer or other person shall suffer such fine as any two justices of the peace of the parish wherein such injury shall happen shall award, not exceeding ten pounds for one and the same offence, the complaint whereon shall be heard, determined, and the penalty, when imposed, shall be enforced in a summary manner, before any two justices of the peace. (96)

XCVII. And whereas, it is necessary to declare how and in what manner slaves should be tried for crimes and offences, *Be it enacted by the authority aforesaid,* That from and after this act shall commence and be in force, all and every charge or complaint against any slave or slaves of murder, rape, felony, burglary, robbery, burning or destroying houses, out-houses, stores, negro-houses, or cane, grass, or corn pieces,

If slave wantonly injures horse, cattle, &c. trial before three justices—punished by—

Whipping not exceeding 50 lashes, which may be inflicted at different times; or two months hard labour.

If beast dies in ten days, (though carcass not stolen), punished at court's discretion.

Slaves mutilating other slaves, punished at court's discretion.

Dangerous to clear grounds by fire.

If injury arises to one property by slaves, or another so clearing grounds, slave punished for misdemeanor.

Overseer, owner, &c. to extinguish such fire wilfully neglecting and injury ensuing to other property, to be fined by any two justices.

New clause.

Slaves committing offences subjecting to death, transportation, or hard labor for more

than one year, to be tried at quarter sessions, or special slave court.

Trial before grand and petit jurors, as white persons are tried.

Justices to apprehend accused, to send for witnesses, take recognizances and commit, &c.

Slaves evidence agnst. slaves in all cases.

Indictment to be read to accused.

Indictment not to be quashed for defect in form.

Trial by petit jury.

Petit jury being formed for trial of free persons, same jurors names to be called over, to set on slave's trial.

Challenges *cum causa*.

Owner, &c. not to set on trial as juror.

Place of owner or challenged, supplied out of panel or by *tales*.

Same jury to serve for every case—unless circumstances of one trial likely to bias another.

Court to pass sentence of death, &c.

Proviso, sentence of death or transportation, not to be effected without warrant, from governor: who is to have indictment

or breaking into such houses, out-houses, stores or negro houses, in the day time, no person being therein, and stealing thereout, rebellion, rebellious conspiracies, or any other offence whatsoever committed by any slave or slaves that shall subject such slave or slaves to suffer death, transportation, or confinement to hard labour for life, or for a term exceeding one year, shall be heard, tried, and determined at the court of quarter session, or special slave court for the parish or precinct wherein the offence shall be committed; as part of the business of such court, and by indictment before the grand and petit juries of such court, as indictable offences are now conducted at such courts against white persons and persons of free condition, but first disposing of such business of the court as shall concern white persons and persons of free condition, and then proceeding with the trial of slaves against whom bills may be found by the grand jury, and the justice before whom such charge or complaint is made shall issue out his warrant for apprehending the offender or offenders, and all persons that can give evidence, who being brought before him, or any other justice of the peace, if, upon examination it appears probable that the slave or slaves apprehended is or are guilty, shall commit the offender or offenders to gaol for trial at the next court of quarter sessions or special slave court, and secure the attendance there of the witnesses by recognizance or committal to gaol, as public justice may require; and in all cases the evidence of slaves shall be admitted against slaves before the justice, the court, and the grand or petit jury; and in case of the grand jury finding a true bill, then, in any parish where the court of quarter sessions is now usually holden, such slave or slaves shall have the indictment or charge distinctly read to him, her, or them in open court, which indictment or charge shall be deemed valid if sufficient in substance, and shall not be quashed for defect in form, and thereupon the plea shall be taken down and entered; and such slave or slaves shall be put upon his, her, or their trial before a petit jury, in like manner as is the practice usual and accustomed at the quarter sessions on the trial of indictments against white persons and persons of free condition; and if a petit jury be already formed for any preceding business of the court, it shall be lawful to proceed to try the indictment against such slave or slaves, upon calling over the names of the jurors, and causing them to be sworn to try all and every such slave or slaves as shall be brought before them, and a true verdict give according to evidence, as in other cases, reserving to the crown and to the prisoner the power of challenging any of the said jurors, upon assigning cause, to be approved of by the court; and provided, that no owner or proprietor of any prisoner, or the attorney, guardian, trustee, overseer, or bookkeeper of such owner or proprietor, or the person prosecuting, his or her attorney, guardian, trustee, overseer, or bookkeeper, shall be allowed to sit as a juror upon the trial of such prisoner, and the place of such jurors as shall be set aside, upon challenge, or for the causes aforesaid, shall be supplied by others returned upon the panel to serve as jurors, or if a sufficient number should not be in attendance, then such deficiency shall be supplied by a writ of *tales*, to be issued by the court in which such trial shall take place, and the same jury shall serve for every case, under the preceding regulations, at the same court, unless the court shall see, or the jury of themselves declare, that the circumstances of one trial too intimately affect another trial, to proceed without bias, in which case a new jury shall be called, and if the said jurors shall, upon hearing the evidence, unanimously find the slave or slaves guilty of the offence with which he, she, or they stand charged, the court shall pass sentence of death without benefit of clergy, or transportation, or confinement to hard labour for life, or a limited time, or whipping, or such other punishment as the court shall think proper, according to the nature of the offence: *Provided always*, That no sentence of death or transportation, pronounced on any slave or slaves, shall be carried into effect unless, by warrant under the hand and seal of the governor, or the person exercising the functions of governor, who is hereby authorized to issue such warrant, and before whom shall be previously laid the charge or indictment, the evidence taken down at the trial, and the sen-

ence of the court, or a true copy thereof, attested by the justice presiding at the trial, or in case of his death or absence of one of the other justices constituting the court, except when sentence of death shall be passed upon any slave or slaves convicted of rebellion or rebellious conspiracy, in which case the court shall and may proceed to pass sentence and carry the same into execution as heretofore, at such time and place as public expedience may require, or if no pressing occasion arise, the court may if it sees fit, refer the proceedings to the governor, in the manner and to be disposed of by him as in other cases of public convictions: *Provided always*, That if it shall be necessary or expedient for the furtherance of justice and the safety of the public, to hold any court before the stated court of quarter-sessions, it shall be lawful to convene a special slave court, and the custos or senior magistrate of the parish or precinct, shall issue a special writ of venire, directed to the provost-marshal-general or his lawful deputy, to summon and warn forty-eight persons, such as are usually warned and impanelled to serve on juries for the parish or precinct, personally to be and appear at such court, at the usual place for holding the quarter-session, at such day and time as may be expressed in such venire; then and there to enquire for our Sovereign Lord the King, of and concerning all such matters and things as shall be given them in charge and enjoined, when and where the said persons so warned by the provost-marshal or his lawful deputy as aforesaid, are hereby severally required to attend, under the penalty of five pounds on each defaulter, and when and where the said special slave court shall proceed in like manner, in all respects, as is the usual custom and practice at a general court of quarter-sessions of the peace, for indictable offences against persons of free condition. (97)

XCVIII. *And whereas*, this mode of trying slaves will materially interfere with the facilities granted to those parishes, which are component parts of a precinct wherein special slave courts are now allowed: *Be it enacted*, That in the parishes of St. Thomas' in the Vale and St. John, (part of the precinct of St. Catherine) indictments against slaves shall be preferred before the grand jury, convened and sworn at the court of quarter-sessions of the respective precincts, and the attendance of all witnesses to support the charge before the grand jury, shall be secured as aforesaid, and when a true bill shall be returned against any slave or slaves, such trial shall be proceeded in a special slave court, to be convened by the custos or senior magistrate of such parish, to meet at the place such court is at present held by law, and thereupon the custos or in his absence the senior magistrate of the parish where such trial is to take place, shall and may hold such special slave court at the place where parochial business is usually transacted in such parish, and shall sign and issue a writ of venire to the provost-marshal or his lawful deputy, for convening twenty-four persons of the parish qualified to serve on juries, at the time and place appointed by the writ of venire, to form a petty jury for the trial of slaves against whom bills of indictment have been found at the quarter-sessions, such trial to take place under the same regulations as are herein-before contained, as to trials of slaves in the courts of quarter-sessions, and the provost-marshal, his deputy, and all persons under recognizance, and the persons so warned as jurors, for any breach of the duty hereby imposed, in regard to such special slave court, shall suffer the like penalties under the like remedies as if done in regard to the quarter-session, and all proceedings of such special slave court shall be returned into the office of the clerk of the peace of the precinct, there to be recorded and kept as part of the records of the said parish. *Provided always*, That if any slave or slaves shall have been detained in custody under commitment for six calendar months, and no indictment shall have been preferred against him, her, or them, or person appearing to prosecute the complaint during that time, it shall be the duty of the said justices of quarter-sessions so associated for the purpose of holding such court of quarter-sessions, to discharge such slave or slaves by proclamation, at the expiration of such six calendar months, from the time of the commitment of such slave or

evidences & sentence, or copy attested.

Except in cases of rebellion, &c. when execution immediate; but reference may be made to governor.

Special slave court may be held, for furtherance of justice and public safety.

Custos or senior magistrate to issue venire to provost-marshal, who to warn forty-eight jurors.

Penalty of £5 on juror not attending.

Court to proceed in like manner as quarter sessions.

Indictments in St. Thomas' in the Vale and St. John, preferred before grand jury in St. Catherine.

Trial to be at special slave court, convened by custos or senior magistrate, to meet where now held.

Venire to issue. Twenty-four jurors to be summoned.

Trial held as if in quarter sessions.

Like penalties on provost-marshal, deputy, witnesses, jurors, &c. as on quarter-sessions. Clerk of peace to keep record.

Proviso, that slave after six months, if no indictment preferred, to be discharged by quarter-sessions.

Proviso, on indictment against slave for murder, verdict may be manslaughter. Manslaughter punished at court's discretion, not extending to life.

New clause.

Magistrates at quarter sessions may dismiss or suspend clerk of the peace, for ignorance or misconduct.

May appoint in default of custos appointing another clerk resident.

New clause.

Barrister or attorney to defend slaves capitally indicted. To be paid salary or fees out of parochial funds.

Free witnesses not attending slave court to be fined.

Jurors &c. exempt from civil process, and so slaves in attendance on slave court.

Records to be kept of trials of slaves, in cases when subject to death, transportation, or hard labour.

Fee paid clerk of peace, therefore, and attendance &c. £5.

Deputy-marshal or person under him to attend trials of slave—execute sentence &c.

£5 for such attendance &c.
Further £5 if sentence of death executed.

slaves. *And provided always,* That in any case upon an indictment against any slave or slaves, for murder, where malice pre-pense shall not be proved to the satisfaction of the jurors, such jurors shall be, and they are hereby declared to be at liberty to return a verdict of *manslaughter*, if they shall think the nature of the case shall require it, and the person or persons so found guilty of manslaughter, shall suffer such punishment as the court shall think fit to inflict, not extending to life. (98)

XCIX. *And whereas,* The ends of justice are sometimes defeated by the incapacity or gross neglect of their duties by the clerks of the peace, *Be it enacted by the authority aforesaid,* That if a charge in writing of any misdemeanor, or gross neglect, or frequent neglect committed by a clerk of the peace, or of his ignorance or incapacity to fill such office, be exhibited against him to the quarter sessions, a majority of the justices on open examination, and proof thereof there, may discharge him from the office, or suspend him for such space of time as the justices shall think proper, and in default of appointment of another sufficient person, resident in the parish by the custos rotulorum, to the office of such clerk of the peace before the next quarter sessions, the justices at the said or any subsequent court, may appoint to the office. (99)

C. *And be it further enacted by the authority aforesaid,* That the custos, magistrates, and vestry in every parish of this island, are hereby empowered and required to employ a person who has been regularly admitted as a barrister or attorney at law in the courts of this island, to attend the trials of all slaves for capital offences in the quarter sessions or special slave courts, and to take the defence of such slaves, at such rate of salary or remuneration by fees as they may see fit, to be paid out of the parochial funds. (100)

CI. *And be it further enacted by the authority aforesaid* That all witnesses, whether white or of free condition, legally warned, and who do not attend to give evidence at any trial under this act, or show by affidavit a sufficient cause for his or her absence, shall be liable to a fine of ten pounds. (101)

CII. *And be it further enacted by the authority aforesaid,* That all jurors serving at any of the Courts herein mentioned, and every person, or persons whose presence may be requisite at the examination of any slave or slaves, and who shall be required by warrant or summons, under the hand and seal of any justice of the peace, and all and every slave and slaves who shall be brought as witnesses, shall be protected in their person from all mesne or judicial process whatsoever in their going to, attending at, and returning from such examinations or trial; and that such slaves shall not be subject to be levied on. (102)

CIII. *And be it further enacted by the authority aforesaid,* That a record shall be entered up of all proceedings on the trials of slaves for any crime that shall subject any slave or slaves to suffer death, transportation, or confinement to hard labour, in a book to be kept for that purpose by the clerk of the peace, or his lawful deputy, of the parish or precinct, who is hereby obliged to attend all such trials, and to record the proceedings within thirty days after such trial, under the penalty of twenty pounds for each neglect, and he shall be entitled to receive from the churchwardens of such parish the sum of five pounds, and no more, for attending each trial, entering up the record, and all other business incidental thereto: And further, that the deputy marshal for the said parish, or some proper person acting under him, shall, under the penalty of fifty pounds, warn the jurors, and attend the trials of all slaves, and also attend at the execution of such offenders as shall be condemned to die, and that he shall be entitled to receive from the churchwardens of the said parish for warning jurors and attending the trials of slaves at all courts the sum of five pounds for each court to be held under this act, and the further sum of five pounds for attending the execution of each offender as shall be condemned to die. (103)

CIV. *And be it further enacted by the authority aforesaid,*

That in case any slave or slaves shall give false evidence on any trial had under this act, such slave or slaves being thereof convicted, shall suffer the same punishment as persons convicted of wilful and corrupt perjury. (104)

CV. *And be it further enacted by the authority aforesaid,* That in future whenever a warrant shall be granted by one or more of his majesty's justices of the peace against any slave, if the said slave cannot be immediately taken on the said warrant, the owner, possessor, attorney, guardian, or overseer of such slave shall be served with a copy of the said warrant, and if he, she or they do not carry the said slave before a magistrate, to be dealt with according to law, on the said warrant; and if it should be afterwards proved that the owner, possessor, attorney, guardian, or overseer of such slave wilfully detained or concealed the said slave, he, she, or they shall forfeit the sum of one hundred pounds. (105)

CVI. *And be it further enacted by the authority aforesaid* That in all trials of any slave or slaves under this act, six days' notice of such trial shall be first given to the owner, proprietor, or possessor of such slave or slaves, his, her, or their lawful attorney or attorneys, or other representative or representatives, any law, custom, or usage to the contrary notwithstanding. (106)

CVII. *And whereas,* it may sometimes happen that the owner, proprietor, or possessor of a slave may reside in a different parish or precinct from that wherein such slave may have committed the offence for which he or she is to be tried: *Be it therefore enacted,* that in such cases the clerk of the peace of the parish or precinct wherein the offence is to be tried shall transmit the notice of such trial to the clerk of the peace of the parish or precinct wherein the owner, proprietor, or possessor as aforesaid may reside, who shall forthwith thereupon under the penalty of twenty pounds deliver such notice and a copy thereof to one of the lawful constables of the said parish, to be by him under the penalty of ten pounds served on such owner, proprietor, or possessor, and the said constable is hereby required to make an affidavit of the manner in which he may have served the said notice, to be sworn to before any justice of the peace, and shall return such notice so sworn to, to the clerk of the peace from whom he received the same, to be by him transmitted to the clerk of the peace of the parish or precinct where the offence is to be tried, in due time: for which duty the clerk of the peace of the parish where the warrant shall be served shall be paid the sum of one pound six shillings and eight pence, and the constable the sum of one pound six shillings and eight pence, by the acting churchwarden of the said parish. (107)

CVIII. *And whereas* it sometimes happens that runaway slaves are apprehended in consequence of the commission of crimes, and in such cases it is frequently impossible to ascertain the owners or other persons on whom notices of trial ought to be served, *Be it therefore enacted,* that whenever it shall so happen that the name of the owner cannot be discovered, a public notice shall be given for three weeks in the three county papers of the name and description of the slave, of the nature of the offence, and of the day of trial, which shall be deemed to be sufficient notice of such trial. (108)

CIX. *And be it further enacted by the authority aforesaid,* That in all cases where the punishment of death is inflicted, the execution shall be performed in a public part of the parish, and with due solemnity, and it shall be the duty of the rector or curate to prepare the criminal while under sentence, and to attend at the place of execution, and care shall be taken by the gaoler or deputy marshal that the criminal is free from intoxication at the time of his trial, and from thence to and at the time of his execution, under the penalty of twenty pounds, and the mode of such execution shall be hanging by the neck, and no other, and the body shall be afterwards disposed of as the court shall direct. (109)

CX. *And be it further enacted by the authority aforesaid,* That in all cases where any slave or slaves shall be put upon his, her,

Perjury of slaves punished as if by free persons.

Warrant against slave not being executed, notice to be served on owner—

Penalty of £100 if he secrets such slave.

In all trials of slaves, 6 days notice to owner &c.

If owner resides in different parish from where offence committed and tried, clerk of peace to transmit notice to clerk of peace where owner resides: who to give it to constable under penalty.

Penalty on constable not serving notice. Constable to make oath of service and return to clerk of peace, who to transmit to other clerk of peace. Fees to clerk of peace and constable where warrant served

New clause.

In cases of runaways, owner may not be found;

Whenever owner cannot be found, notice of trial to be advertised.

Execution of death to be solemn and public.

Rector or curate to attend criminal while under sentence, and a execution.

Gaoler to keep criminal sober on penalty. Execution by hanging.

Value of slave to be ascertained by jury on

sentenced to death, transportation or hard labour for life—to certify amount—not above £100—or convicted as runaway, £50.

Provost or deputy marshal, to execute sentence under penalty, if death or transportation by warrant from governor: (except for rebellion when to execute on warrant of death from justices).

Council amendments.
To sell slaves for transportation.

Render owner just account on oath, of sale; and pay him nett proceeds, if none to certify, and receiver general to pay.

If death or hard labor, receiver general to pay owner: and so value of transported slave, deducting proceeds of sale.

Transportation slave sold; to remain in gaol, till purchaser gives bond with surety to transport in 30 days, and confined in mean time in vessel.

Bond taken by provost marshal or deputy.

Fee to that officer.

Bond to be recorded.

Purchaser of convict to make oath, he will

or their trial, and receive sentence of death or transportation, or commitment to hard labour for life, the court, at the time of trying such slave or slaves, shall also inquire of the jury, upon their oaths, what sum or sums of money the owner, proprietor, or possessor of the said slave or slaves ought to receive for such slave or slaves, and certify the same, so that such sum or sums of money do not exceed the sum of one hundred pounds for each slave so sentenced as aforesaid, and if the conviction be for running away, the value to be set by the jury shall not exceed fifty pounds. (110)

CXI. *And be it further enacted by the authority aforesaid,* That in all cases where any slave or slaves shall be brought to trial, and sentenced to death, and valued according to the directions of this act, the provost marshal or his lawful deputy shall, under the penalty of two hundred pounds, carry such sentence into execution, in obedience to the warrant from the governor or person executing the functions of governor for the time being, or the warrant of the justices, in cases of conviction for rebellion or rebellious conspiracy; and in case of sentence to transportation, shall, upon receiving a warrant from the governor or person exercising the functions of governor for the time being for that purpose, forthwith sell such slave or slaves for transportation to the best advantage in his power, and shall, under the penalty of two hundred pounds, within the space of one month from the time of such sale, render to the owner, proprietor, or possessor of such slave, or other person legally entitled to receive the same, a just and true account, upon oath, of the sale or sales of such slave or slaves, and of the legal charges attending the same, and pay over to such owner, proprietor, or possessor, or other person legally entitled to receive the same, the proceeds of such sale or sales, after deducting all legal charges as aforesaid; and if it shall happen that the charges due to the provost marshal or his lawful deputy for confinement and subsistence of said slave or slaves shall amount to or exceed the amount of the sales, the same shall be sworn to by the said provost marshal or his lawful deputy, on the back of the certificate of valuation, in which case the receiver general shall pay the whole amount of such valuation. (111)

CXII. *And be it further enacted by the authority aforesaid,* That in all cases where any slave or slaves shall be sentenced to death or confinement to hard labour for life, and be valued according to this act, such slave or slaves shall be paid for by the receiver-general of this island, out of any monies in his hands, upon production of a legal certificate of such sentence and valuation, but not otherwise, and in all cases where any slave or slaves shall be sentenced to transportation, and valued in manner aforesaid, the receiver-general shall, in like manner, upon production of a like certificate, together with the account upon oath hereinbefore directed to be made by the provost-marshal or his lawful deputy, but not otherwise, pay the amount of the valuation of such slave or slaves, after deducting the amount of such account. (112)

CXIII. *And be it further enacted by the authority aforesaid,* That every slave who, under the authority, and by virtue of this act shall be sold for transportation by the provost-marshal or his lawful deputy, shall notwithstanding such sale, remain in the custody of the said provost-marshal or his said deputy, until the purchaser of such slave shall have entered into bond with sufficient security to our Sovereign Lord the King, under the penalty of five hundred pounds for every such slave so purchased, that every such slave shall be transported off this island within thirty days after the date of such bond, and shall in the mean time be kept in close confinement on board the ship or vessel in which such slave is intended to be transported, which bond shall be taken by the said provost-marshal or his lawful deputy as aforesaid (for which the provost-marshal or his said deputy shall receive from the party entering into the same all expences incidental thereto) and be filed among the records in the office of the clerk of the peace of the parish or precinct where such slave was tried. (113)

CXIV. *And be it further enacted by the authority aforesaid,* That every such purchaser of any slave so directed to be sold for trans-

portation as aforesaid, shall at the time of executing such bond as aforesaid also make oath in writing on some part of the said bond before the provost-marshal or his lawful deputy as aforesaid (either of whom is hereby authorized and required to administer the same) that every such slave so purchased by him shall be transported to (death or dangers of the sea excepted), and that the said slave so purchased, shall not with his knowledge, privity, or consent be re-landed in this island. (114)

XCXV. *And be it further enacted by the authority aforesaid,* That the provost marshal or any of his deputies shall not under the penalty of three hundred pounds for each offence deliver over to any purchaser or purchasers any slave so sold for transportation as aforesaid until such bond is entered into, and oath taken as aforesaid, and in case any such slave so sold for transportation as aforesaid shall be found within this island after the expiration of the thirty days before limited for his or her transportation, such slave shall become forfeited to the crown and be re-sold for transportation by the provost-marshal or his lawful deputy in the same manner and under the like penalties as are hereinbefore enacted, and the nett proceeds of such re-sale shall be paid over to the receiver-general for the use of the public. (115)

XCXVI. *And be it further enacted by the authority aforesaid,* That every slave sold for transportation under and by virtue of this act, who shall be found at large within this island at any time after such sale as is hereinbefore directed, may and shall be lawfully apprehended by any person whomsoever, and immediately taken before any of his Majesty's justices of the peace, and if it shall appear to the satisfaction of such justices that such slave has been formerly sold for transportation by virtue of this act, such justice shall, by warrant under his hand and seal direct such slave to be delivered to the provost-marshal or his lawful deputy, to be re-sold for transportation only, and the monies arising from such sale, after deducting a commission of five pounds *per centum* and all necessary expences shall be paid over, one moiety thereof to the person apprehending such slave, and the other moiety to the receiver-general for the time being, for the support of the government of this island. (116)

XCXVII. *And be it further enacted by the authority aforesaid,* That if any negro or other slave who shall have been transported from this island under the directions of this act, or of any other act heretofore in force respecting slaves, for murder, rebellion, or any other crime which would have subjected him to the punishment of death, shall wilfully return from transportation, such negro or other slave shall, upon conviction, suffer death without benefit of clergy. (117)

XCXVIII. *And be it further enacted by the authority aforesaid,* That if the master of any ship or vessel, or any other person or persons, shall knowingly and wilfully bring back to this island, or shall be aiding and assisting in the bringing back, or cause or procure to be brought back to this island, any negro or other slave who shall have been transported from this island under and by virtue of this act or any other act heretofore in force respecting slaves, such master or person or persons being convicted thereof, by bill, plaint, or information in the supreme court of judicature, or either of the courts of assize of this island, shall forfeit the sum of three hundred pounds for each slave so brought back: one moiety whereof shall be to our Sovereign Lord the King, his heirs and successors, for and towards the support of the government of this island and the contingent charges thereof, and the other moiety to the party or parties at whose suit or complaint such person was convicted, and shall also suffer imprisonment at the discretion of the court for any space of time not less than three, nor exceeding twelve months, without bail or mainprize. (118)

XCXIX. *Whereas* it is now difficult to transport slaves with effect, *Be it enacted by the authority aforesaid,* That in future all slaves sentenced to transportation that cannot be sold within one month, shall be committed by warrant of any justice of the peace to hard labour in the workhouse till transportation can be effected, and the receiver ge-

transport to

Provost, &c. not to deliver convict till bond given, under penalty of £300.

Convict found in island after said 30 days, forfeited and to be re-sold by provost, as before; and nett proceeds paid receiver-general.

Convict at any time after sale, found in this island, taken before justice, who to direct provost, &c. by warrant to re-sell.

Proceeds, deducting 5 per cent. and charges, to be paid in moieties to informer and receiver-general.

Convict transported for offence subjecting to death, wilfully returning from transportation to suffer death on conviction.

Council amendments. Master of vessel or other person bringing back transported convict—penalty and imprisonment.

XCXIX. *New clause.* Convicts for transportation not sold in one month to be committed by warrant of justice to hard labour in

workhouse till transportation.

Receiver general to pay value to owner.

If provost afterwards sells, to account to receiver-general, under penalty.

New clause.

Convicts sentenced for life to hard labour, behaving well: governor on representation of commissioners of workhouse may order sale with convict's approbation.

Nett proceeds paid receiver-general.

Slave sentenced to workhouse for time, escaping, sent back and whipped, not exceeding 50 lashes.

If sentenced to hard labour for life, escaping, on proof before 3 justices to be recommitted or transported, at discretion.

Escape permitted by provost, deputy, constable, or workhouse-keeper, convicted before 3 magistrates and fined not exceeding £50.

Fees, of deputy-marshal, &c. for slaves, discharged by proclamation, to be paid by public.

neral shall pay such value to the owner as may have been fixed by the jury: And if thereafter the provost marshal or his lawful deputy shall be able to effect the sale for transportation, he shall, under the penalty of two hundred pounds, within the space of one month from the time of such sale, render to the receiver general a just and true account upon oath of the sale of the slave or slaves, and of the legal charges attending the same, and pay over to the receiver general the proceeds of such sale or sales, after deducting all legal charges. (119)

CXX. *And whereas* instances have occurred of convicted slaves under confinement to hard labour in the workhouse for life, having conducted themselves in such an orderly and correct manner as to obtain the approbation and confidence of the persons having charge over them, and to evince in every respect a complete reformation of manners, and as it is expedient to hold out encouragement to convicts who have so conducted themselves, as well as to render them an example for imitation, to the end that a laudable excitement may prevail amongst persons in their otherwise desperate condition, *Be it enacted by the authority aforesaid*, That it shall and may be lawful for the governor, or person exercising the functions of governor for the time being, upon the representation of the commissioners of the workhouse of the parish where any deserving convict shall be, that such convict has conducted himself or herself, for a period of not less than three years, in such an orderly and correct manner as to obtain the approbation and confidence of the person having charge over him or her, and to evince in every respect a complete reformation of manners, to direct the workhouse-keeper, under his sign manual, to put the said convict up to public sale, and to sell and dispose of him or her to the highest and best bidder, with the approbation of the said convict, and the title given upon the sale thereof shall be as legal and effectual as any sales made under the workhouse law, and the proceeds of the said sale, after deducting the charges thereof, shall be paid over to the receiver-general, to be applied in aid of the island contingencies. (120)

CXXI. *And be it further enacted by the authority aforesaid*, That if any negro or other slave who may be sentenced to be confined in the workhouse for any time shall escape from such confinement before the expiration of his or her sentence, such negro or other slave being retaken, shall, on proof of his or her identity before three justices of the peace, be adjudged by them to be sent back to confinement, to complete the term for which he or she was sentenced to confinement, and to receive a whipping not exceeding fifty lashes. (121)

CXXII. *And be it further enacted by the authority aforesaid*, That if any negro or other slave who may be sentenced to be confined to hard labour for life in any workhouse shall escape therefrom, every such negro or other slave being retaken, shall, on proof of his or her identity before three magistrates, be adjudged by them either to be recommitted to his or her former punishment, or to be transported off this island for life. (122)

CXXIII. *And be it further enacted by the authority aforesaid*, That if the provost marshal or any of his lawful deputies, or any lawful constable or workhouse-keeper shall wilfully or negligently suffer any slave or slaves to escape, who shall be committed to his or their custody for any offence under this act, such marshal, constable, or workhouse-keeper who shall suffer such escape, shall, on conviction thereof before three magistrates, forfeit a sum not exceeding fifty pounds, to be recovered in a summary manner by warrant under the hands and seals of the said three magistrates, for the use of the parish, and, without injury to the rights of the owner, to sue for the value of the same. (123)

CXXIV. *And be it further enacted by the authority aforesaid*, That when any slave or slaves shall be discharged by proclamation, the deputy marshal or workhouse-keeper shall be entitled to receive all such fees as shall be due for such slave or slaves, at the time of such discharge, from the public, upon application, and due proof, made in the most solemn manner to the assembly or any committee thereof, that

such slave or slaves, during the time they were in the custody of such deputy marshal or workhousekeeper, was or were found and provided with proper and sufficient provisions and necessary clothing, agreeably to this law. (124)

CXXV. *And be it further enacted by the authority aforesaid,* That no gaol-keeper in this island, or any person acting under him as clerk or deputy, shall, on any pretence whatsoever, work or employ any slave or slaves sent to his custody, nor hire or lend such slave or slaves to work for any other person or persons during the time such slave or slaves shall be in his custody; but that all such slaves shall be and remain in the common gaol of the county, parish, or precinct, in order to be inspected by any person or persons desiring the same: and in case any gaol-keeper shall offend herein, he shall for every offence forfeit a sum not exceeding fifty pounds. (125)

CXXVI. *And whereas* there are many inferior crimes and misdemeanours committed by slaves which ought to be punished in a summary manner before two magistrates, *Be it therefore enacted by the authority aforesaid,* that all misdemeanours and inferior crimes committed by any slave or slaves, including swearing, obscene language, drunkenness, and indecent and noisy behaviour, shall be tried in a summary manner before two or more justices of the peace of the parish or precinct where the offence shall be committed, reasonable notice of the time and place of such trial being given to the owner, proprietor, or possessor of such slave or slaves, or his, her, or their attorney or attornies, or the person or persons having the care of such slave or slaves; and the said justices of the peace shall, on conviction of such slave or slaves, order and direct such punishment to be inflicted as they shall think proper, not exceeding thirty-nine lashes, or three months imprisonment to hard labour. (126)

CXXVII. *And be it further enacted,* That the clerk of the peace, for attending such summary trial, and making out the order of the magistrates thereat, which he is hereby bound to do under the penalty of fifty pounds, shall be entitled to receive from the churchwardens of the parish the sum of one pound six shillings and eight pence, and the constable, for attending at the trial and at the execution of the order of the magistrates thereon, shall receive the sum of ten shillings, except in the city of Kingston, where the fees to the clerk of the peace shall be thirteen shillings and four pence, and to the constable five shillings, in consequence of the great number of such trials in that City. (127)

CXXVIII. *And be it further enacted, by the authority aforesaid,* That from and after the commencement of this act, upon any complaint made before a justice of the peace, of any murder, felony, burglary, robbery, rebellion or rebellious conspiracy, treason or traitorous conspiracy, rape, mutilation, branding, dismembering, or cruelly beating or confining without sufficient support, a slave or slaves, or in any cases of seditious meetings, or of harbouring or concealing runaway slaves, or giving false tickets or letters to such runaway slaves, to enable them to elude detection, or on any inquisition before a coroner, the evidence of any slave or slaves, respecting such complaint or inquisition, shall be received and taken by such justice of the peace or coroner, and on any prosecution in any of the courts of this Island for any of the crimes before mentioned, the evidence of a slave or slaves shall also be admitted and received: *Provided always,* That before such evidence shall be received, a certificate of his or her baptism shall be produced, and the justice of the peace, coroner, or court, shall be satisfied, on due examination had, that such slave comprehends the nature and obligation of an oath: *And provided also,* That nothing herein contained shall prevent the Court from receiving objections as to the competency of such witness, or from receiving evidence as to the credibility of such witness in like manner as they would receive the same as to white persons, and persons of free condition: *And provided also,* That no white person or person of free condition, shall be convicted of any of the crimes aforesaid, on the testimony of any slaves, unless two of the said slaves, at least, clearly and consistently depose to the same fact or circumstance, such

Gaol-keeper not to employ slave prisoners, but to remain in gaol for inspection of any person under penalty of £50.

Inferior offences of slaves punished summarily before two of more justices.

Notice given to owner

Punishment not to exceed 39 lashes or 3 months hard labour.

Clerk of peace attending summary trial to receive £1 6s. 8d.—Constable 10s., from churchwardens; except Kingston, where clerk 13s. 4d.—constable 5s.

Evidence of slaves admitted in certain criminal cases.

Proviso, that certificate of baptism be produced, and that slave understands obligation of an oath.

Proviso, that no person convicted but on evidence of two slaves, who to be examined apart.

Proviso, that no free person be convicted on slave testimony unless complaint made within 12 months, and after 1st May, 1127.

New clause.

Justice or coroner taking slave's examination to certify in *jurat*, that slave understands the nature of, an oath —to take recognizance for slave's production —to transmit deposition and recognizance to clk. crown.

If recog. of slave witness not given, or owner the person accused, or cause to apprehend that witness may be kept away, to commit witness to gaol to be kept and maintained.

If person in possession of witness produces him, to receive mile-money and hire.

Justices to grant certificate, and receiver-general to pay.

New clause.

When slave is a witness, court cannot declare other slave free.

New clause.

Slave perjured punished by hard labour, pillory, whipping, or all.

New clause.

Slaves being witnesses protected from levies

slaves being examined apart and out of the hearing of each other: *And provided also*, That no white person or person of free condition, shall be convicted on the testimony of any slave or slaves, of any crime or offence, as aforesaid, unless the complaint shall have been made within twelve months after the commission thereof, and unless the crime or offence shall have been committed subsequent to the commencement of this Act. (128)

CXXIX. And be it further enacted by the authority aforesaid,

That every justice of the peace or coroner, who shall take the deposition of any slave, shall certify as part of the *jurat*, That the deponent had been duly examined, and found to possess a competent knowledge of the nature and obligations of an oath, and such justice of the peace and coroner, shall take from the person in possession of such slave, or from some fit and proper person a recognizance, in a sum not exceeding one hundred pounds, nor less than twenty pounds, conditioned for the production of such slave, as a witness in the court at which the indictment is to be preferred or tried; and such justice or coroner shall forthwith transmit to the clerk of the crown such deposition and recognizance; and in case the person in possession of such slave as aforesaid, shall refuse to give, or shall not produce such bail for the appearance of the slave as a witness, or the person in possession of such slave, shall be the party accused, or if under the circumstances of the case, the justice of the peace or coroner shall see cause to apprehend, that the witness may be withheld from giving his or her testimony, then such justice of the peace or coroner, shall have the power of securing the attendance of such slave as a witness, by a commitment to gaol in the same manner as the attendance of a witness for the crown, who is unable to find bail for his appearance is now insured: and the marshal or keeper of such gaol shall allow to the said slave the sum of one shilling and eight pence *per diem*, for his or her support during confinement; and such allowance shall be repaid to the marshal or keeper of the gaol, in the same manner as the allowance to witnesses for the crown is now paid to him; and in case the party in possession of a slave, shall produce him or her as a witness at the court, where any indictment is preferred, or had according to the condition of a recognizance entered into, by or on the part of such person in possession as aforesaid, such person in possession shall be entitled to receive mile money, at the rate of one shilling *per mile* for the first five miles, and six pence *per mile* for every mile afterwards, and a sum not exceeding three shillings and four pence *per diem*, for each and every day such slave shall have been absent from home for the purpose of attending at the court as a compensation for the loss of the labour of such slave: and the judges presiding at the trial upon application made to them in court after the trial, are hereby authorised, if they shall deem it equitable and right, under the circumstances of the case, to assess the amount of such mile money and compensation, and to grant a certificate thereof under their signature, and such certificate after being approved of by the commissioners of public accounts, shall be paid by the receiver-general to the person or persons to whom such certificate shall be granted. (129)

CXXX. And in order to remove as much as possible, any temptation to commit perjury by those slaves who shall be required to give evidence; Be it enacted by the authority aforesaid, That the court shall not be at liberty to exercise the power given by this act, for declaring any slave free, and discharged from all manner of servitude, where the owner of such slave has been convicted of particular offences, if any slave shall have been sworn upon the trial as a witness on the part of the prosecution. (130)

CXXXI. And be it further enacted by the authority aforesaid, That if any slave shall commit wilful and corrupt perjury, in giving evidence upon any of the occasions hereinbefore mentioned, such slave shall be liable to be tried therefore, and upon conviction thereof, shall be sentenced to hard labour in the workhouse, or to stand in the pillory for such time as the court shall direct, or to whipping, or to all or either of such punishments at the discretion of the court. (131)

CXXXII. And it is hereby enacted by the authority aforesaid, That the slaves whose attendance are required as witnesses, shall be

protected in their persons from all civil process whatsoever, in going to, attending at, and returning from such examinations or trials, as are hereinbefore mentioned, and that such slaves shall, during such time, not be liable to be levied on for debt or otherwise. (132)

CXXXIII. *And whereas* it may sometimes happen, That white persons or persons of free condition, associate themselves in crime with slaves; *Be it therefore enacted*, That if any white, or free person or persons, shall be found in the company of any slave or slaves, and aiding or assisting them in the commission of any crime or illegal offence, or shall employ them in such offences, the testimony of such slaves shall be received against such free person or persons, whether baptised or not, except where the life of such white or free person or persons shall be affected, and admitted in such manner as the testimony of accomplices in crime is received in courts of law. (133)

CXXXIV. *And be it further enacted by the authority aforesaid*, That the operation of this act, nor any part thereof, shall not be suspended by martial law, any law, usage, or custom, to the contrary thereof in any wise notwithstanding. (134)

CXXXV. *And be it further enacted by the authority aforesaid*, that all penalties in this act mentioned, and not already declared how they shall be recovered and applied, shall, if not exceeding fifty pounds, be recovered in a summary manner, before any two of his Majesty's justices of the peace, by distress and sale of the offender's goods and chattles, and if amounting to or exceeding fifty pounds, to be recovered in the supreme court of judicature, or in either of the courts of assize by action of debt, bill, plaint, or information, wherein no essoin, protection, or wager of law, or *non vult ulterius presequi* shall be entered; one moiety of which penalties shall be paid to the churchwardens for the use of the parish, where the offence shall be committed, and the other moiety to the informer, or him, her, or them, who shall sue for the same; *Provided always*, That all proceedings for the recovery of penalties under this act shall be instituted within twelve months after the offence be committed. (135)

CXXXVI. *And be it further enacted by the authority aforesaid*, That all offences committed during the time, the act entitled "*An act for the subsistence, clothing and the better regulation and government of slaves, for enlarging the powers of the council of protection, for preventing the improper transfer of slaves, and for other purposes*" passed in the year 1816, and all other acts, by this act repealed, were in force, shall be punished in the manner directed by the said acts, but shall be heard, tried, and determined in the form prescribed by this act. And it shall be lawful to recover and apply all penalties incurred thereunder, as fully and effectually as if the said acts were still in force and unrepealed. (136)

CXXXVII. *And be it further enacted by the authority aforesaid*, That this act shall commence, continue, and be in force from the first day of May next, until the first day of May, 1830. (137)

Passed the Assembly this 7th day of December, 1826.

DAVID FINLAYSON, *Speaker.*

Passed the Council this 22nd day of December, 1826.

W. BULLOCK, *Cler. Con.*

I consent, this 22nd day of December, 1826.

MANCHESTER.

VERA COPIA.

EXTUR.

New clause.

Free persons associated in crime with slaves may be convicted on evidence of slave accomplices, baptised or not, except where life may be affected.

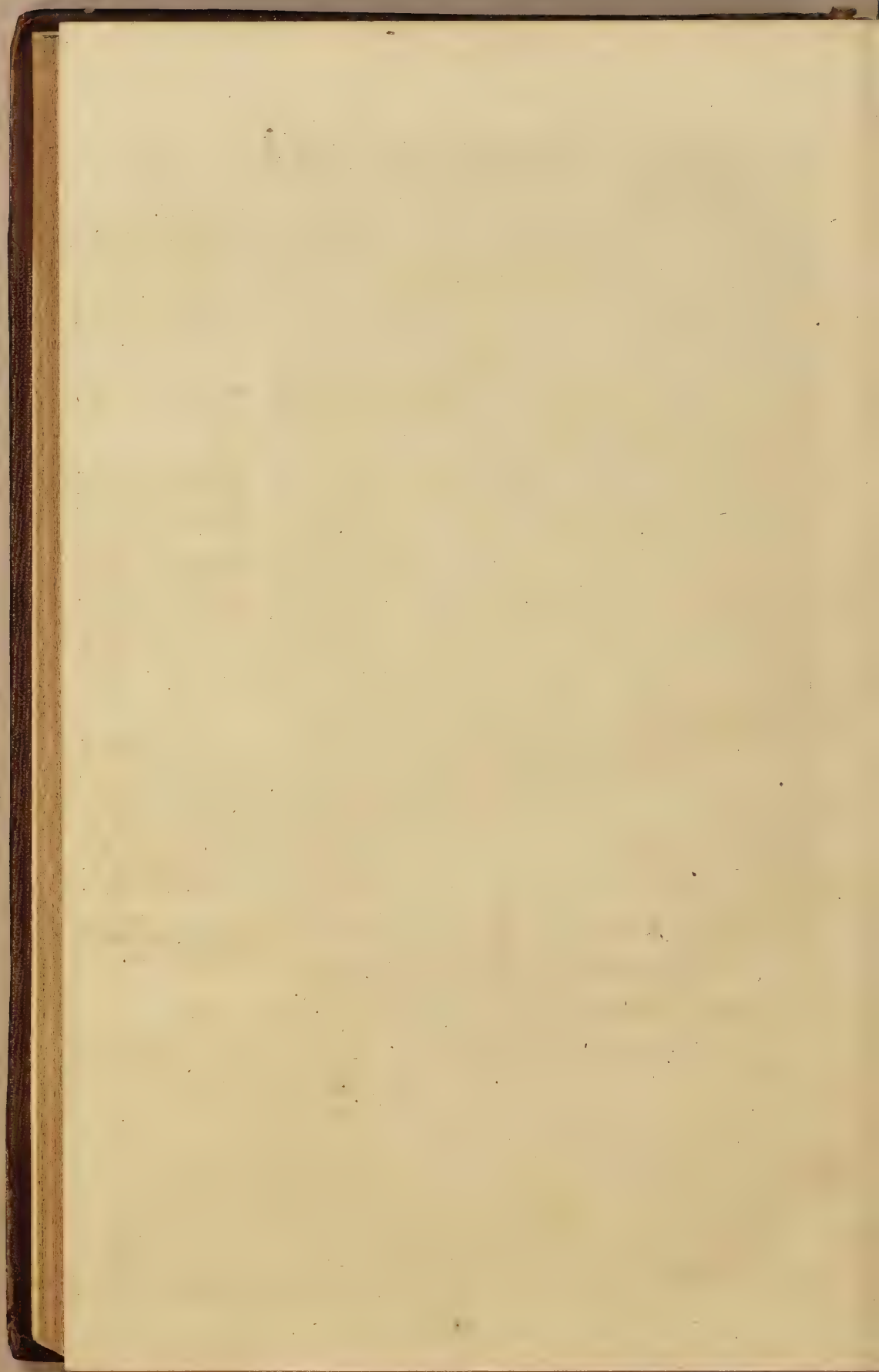
This law not to cease in martial law.

Penalties not already declared how recoverable, if not exceeding 50l. before two justices—if more to be sued in superior courts, one moiety to informer and the other to churchwardens for poor.

Provided, that all penalties be sued for 12 months after crime committed.

Offences committed under late consolidated slave law, and other repealed acts, to be punished by said acts, but tried in manner directed by this. Penalties applied as directed in repealed acts.

Duration of this law from 1st May, 1827, to 1st May, 1830.



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